

VAUXMONT METROPOLITAN DISTRICT

8390 E. Crescent Parkway, Suite 300

Greenwood Village, CO 80111

Phone: 303-779-5710

www.candelascommunity.com

NOTICE OF SPECIAL MEETING AND AGENDA

DATE: Thursday, April 4, 2024
TIME: 5:00 p.m.
LOCATION: Candelas Parkview Swim and Fitness Club
19865 W. 94th Avenue
Arvada, CO 80007

You can also attend the meeting in any of the following ways:

URL:
https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZmQzNDQ5ZTkzNzQ5My00YzI5LTlkYzltODIIZWJmNTI5NmYz%40thread.v2/0?context=%7b%22Tid%22%3a%224aaa468e-93ba-4ee3-ab9f-6a247aa3ade0%22%2c%22Oid%22%3a%221f1b712c-e235-4dd5-b5c5-d830e47350db%22%7d

Dial in:
1-720-547-5281 United States, Denver
Phone Conference ID: **623 895 135#**

<u>Board of Directors</u>	<u>Office</u>	<u>Term Expires</u>
Peter Schulte	President	May, 2027
Anna Smith	Vice President	May, 2027
Craig Conway	Secretary	May, 2025
Paul Hoisington	Treasurer	May, 2027
Travis Hart	Assistant Secretary	May, 2025

I. ADMINISTRATIVE MATTERS

- A. Call to order and approval of agenda.
- B. Present disclosures of potential conflicts of interest.
- C. Confirm quorum, location of meeting and posting of meeting notice.

II. PUBLIC COMMENT – Members of the public may express their views to the Board on matters that affect the District that are otherwise not on the agenda. Comments will be limited to three (3) minutes per person.

III. COVENANT CONTROL AND ENFORCEMENT/COMMUNITY MANAGEMENT (Adjourn to Executive Session, if necessary, for any of the following items):

- A. CDRC Charter (enclosure).
- B. Review of Revisions to Design Guidelines (enclosure).
- C. Variance Request Process and Procedures.
- D. Review Variance Requests (enclosures).
 - 1. 9424 Noble Way – Unapproved Exterior Changes, Lighting and Paint
 - 2. 9492 Joyce Way – Fencing
 - 3. 9542 Yucca Way – Drainage

IV. EXECUTIVE SESSION *(If needed, an executive session may be called for specific purposes authorized pursuant to § 24-6-402(4), C.R.S.; and only after announcement at the public meeting of the specific topic for discussion and the statutory citation authorizing the executive session, and a 2/3 vote of the quorum present of the Board.)*

- A. Consultation with attorney on specific legal questions related to the CDRC and the Variance Requests, determining positions relative to matters that may be subject to negotiations and developing strategy, and instructing negotiators, and receiving legal advice thereon, pursuant to Section 24-6-402(4)(b) & (e), C.R.S.

[NOTE: No formal action or adoption of any proposed policy, position, resolution, rule, or regulation may be taken in Executive Session.]

V. OTHER BUSINESS

VI. ADJOURNMENT

The next regular meeting is scheduled for Tuesday, April 16, 2024 at 5:00 p.m.

**VAUXMONT METROPOLITAN DISTRICT
CANDELAS DESIGN REVIEW COMMITTEE CHARTER**

Adopted _____, 2024

WHEREAS, the Protective Covenants and Easements of Candelas recorded on March 26, 2012 at Reception No. 2012032029 in the real property records of Jefferson County, Colorado (“Covenants”) provide, in Section 1.3, that the Candelas Design Review Committee (“CDRC”) is the advisory committee appointed by the Vauxmont Metropolitan District (“District”) to review requests for design review approval and make recommendations for their approval or disapproval to the Board of Directors (“Board”) of the District; and

WHEREAS, pursuant to § 32-1-1001(l)(h), C.R.S., the Board has the power to manage, control, and supervise all of the business and affairs of the District; and

WHEREAS, pursuant to § 32-1-1001(l)(m), C.R.S., the Board has the power to adopt, amend, and enforce bylaws and rules and regulations not in conflict with the constitution and laws of this state for carrying on the business, objects, and affairs of the Board and of the District; and

WHEREAS, the CDRC, during the period of Master Developer control, functioned by way of a professional “Staff” review process, under which employees of the District or Master Developer would review architectural submissions as the CDRC; and

WHEREAS, the District may engage Staff to perform the duties of the CDRC, and may also engage volunteers to undertake review of projects Staff determines should be considered by community members to best serve the public’s needs and the needs of residents within the District’s boundaries; and

WHEREAS, the Board desires to balance the needs of community members for timely approvals with the desire to ensure that residents are able to guide substantive policy decisions made with respect to architectural approvals, and by this Charter intends to clarify the respective roles and responsibilities of the volunteer members of the CDRC and Staff, to make efficient and effective use of the CDRC, facilitate timely reviews, ensure aesthetic continuity and harmony, and fulfill the purposes of the Covenants.

NOW THEREFORE, BE IT RESOLVED, the Board of Directors hereby adopts the following Candelas Design Review Committee Charter.

1. **Provisions Applicable to Staff and CDRC Volunteers.**

a. **Definitions.** Capitalized terms shall have the same meaning as set forth in the Covenants.

- i. **Environmental Sustainability Improvements** means a qualified residential energy system and/or energy efficiency system improvements that satisfy the SID statute, and as further described in the Guidelines attached as Exhibit A to the Declaration of Trust for The Candelas Sustainability Trust dated June 28, 2011, as may be amended from time to time.
- ii. **“Improvements”** means all exterior improvements, structures, and any appurtenances thereto or components thereof of every type or kind, and all landscaping features, including buildings, outbuildings, environmental sustainability improvements, including geothermal systems, solar systems, swimming pools, hot tubs, satellite dishes, tennis courts, patios, patio covers, awnings, solar collectors, painting or other finish materials on any visible structure, additions, walkways, sprinkler systems, garages, driveways, fences,

including gates in fences, basketball backboards and hoops, swing sets or other play structures, screening walls, retaining walls, stairs, decks, landscaping, hedges, windbreaks, plantings, trees, shrubs, flowers, vegetables, sod, gravel, bark, exterior light fixtures, poles, signs, exterior tanks, and exterior air conditioning, cooling, heating and water softening equipment, if any.

- iii. The terms “**Board**” or “**Board of Directors**” refers to the Master Developer during the Master Development Period, to the extent required to comply with the Covenants, and otherwise refers to the District Board of Directors.
- b. Criteria for Approval. The CDRC, including Staff and volunteer members, shall exercise their reasonable judgment to the end that all Improvements conform to and harmonize with the existing surroundings, residences, landscaping and structures. The CDRC may condition its approval of any proposed Improvement upon the making of such changes therein as the CDRC may deem appropriate. The CDRC shall meet with the Sustainability Committee regarding any Environmental Sustainability Improvements, or adhere to guidelines relating to Environmental Sustainability Improvements promulgated by the Sustainability Committee.
- c. Meetings. Regular or special meetings of the CDRC shall be held in a public place designated by the CDRC from time to time. Unless notified in advance of a change, members will meet at the offices of the District’s management team. Regular meetings shall take place on a monthly basis, and special meetings may be called as deemed necessary by the CDRC. Notices and agendas of regular and special meetings will be posted on the District’s website at least twenty-four (24) hours before the meeting.
- d. Conduct. All CDRC members shall adhere to the Rules of Conduct regarding Committee Meetings and Committee Members adopted by resolution of the Board.
- e. Fees. District shall require the payment of a fee to accompany each request for approval of any proposed Improvement as specified in the Residential Design Standards.
- f. Timing. The CDRC shall review each request for approval and make recommendations to the Board within 45 days after the complete submission of the plans, specifications, and other materials and information required by the CDRC. Any Owner’s failure to complete the proposed Improvement within one (1) year after the date of approval shall be in noncompliance, subject to enforcement by District. The Board may grant extensions of time for completion of any proposed Improvements.
- g. Miscellaneous. The CDRC shall treat all applications for Improvements fairly and impartially, without bias or prejudice, and in the best interest of the community, seek and rely upon professional guidance as appropriate, and hold open meetings, as required by state law. The CDRC shall comply with all policies and resolutions of the Board regarding the conduct of committee meetings and committee members.
- h. No Waiver. No action or failure to act by the CDRC or by the Board, and no variance granted by the Board, shall constitute a waiver or estoppel with respect to future action by the CDRC or the Board with respect to any Improvement. Specifically, the approval by the CDRC of any Improvement shall not be deemed a waiver of any right or an estoppel to withhold approval or consent for any similar Improvement or any similar proposals, plans, specifications or other materials submitted with respect to any other Improvement.

- i. Nonliability. There shall be no liability imposed on the CDRC, any member of the CDRC, the District, or any member of the Board of Directors for any loss, damage or injury arising out of or in any way connected with, the performance of the duties of the CDRC. In reviewing any matter, the CDRC shall not be responsible for reviewing, nor shall its approval of an Improvement be deemed approval of the Improvement from the standpoint of safety, whether structural or otherwise, or conformance with building codes or other governmental laws or regulations. The District retains all protections of the Colorado Governmental Immunity Act.
 - j. Number. There shall be at least five members of the CDRC between Staff members and CDRC volunteers. During the Master Development Period, the Master Developer appoints the CDRC. Following the termination of the Master Development Period, the Board of Directors appoints the CDRC.
2. **Staff Role**. The role of Staff on the CDRC is to provide a speedy resolution of architectural submissions for owners within the District. In addition, Staff is responsible for maintaining all District records relating to architectural submissions as required by Colorado law. Staff are hired by and assigned to the CDRC by the District's management company, acting in accordance with instructions provided by the Board of Directors.
- a. Duties and Responsibilities. Staff shall:
 - i. Review all applications for Improvements as provided by Section 2.2 of the Covenants. Staff shall make recommendations to the Board of Directors on each application, or if Staff determines that a particular application is unique or requires analysis by homeowners in the community, Staff shall refer the application to the CDRC Volunteers.
 - ii. Draft guidelines, standards, or rules ("Standards") relating to the procedures, materials to be submitted and additional factors which will be taken into consideration in connection with the approval of any proposed Improvements and related procedures and other matters for the enforcement of the Covenants. Such Standards may waive the requirement for approval of certain Improvements if approval is not reasonably required to carry out the purpose of the Covenants. Such Standards may elaborate or expand upon the provisions related to the procedures and criteria for approval and enforcement, but no such Standards will be inconsistent with the provisions or requirements of the Covenants, Jefferson County Zoning Regulations, or Colorado State Law, as applicable. The Board of Directors reviews and may revise the Standards prior to adoption.
 - iii. Inspect Improvements for completion and compliance with the approved submission.
 - iv. Furnish a certificate with respect to the approval or disapproval of any Improvement or with respect to whether any Improvement was made in compliance herewith. Any person, without actual notice to the contrary, shall be entitled to rely on said certificate with respect to all matters set forth therein.
 - v. Issue Notices of Noncompliance upon determination that any Improvement was made without obtaining the required approval, or not in substantial compliance with the approval, or not completed within one year after the date of approval.
 - vi. Provide a report to the Board at the end of each quarter detailing any Improvements made in violation of the Covenants for which a violation is more than 60 days outstanding.

- 3. **CDRC Volunteers.** The role of the homeowners who volunteer for the CDRC is unique and important. While most typical Improvement applications will be reviewed by Staff for Board action, some applications may require consideration by the people who live in the community. When Staff determines, in their reasonable judgment, that an application is unique, or likely to create discussion in the community, it will refer the application to the CDRC homeowner volunteers for review and recommendations to the Board of Directors. By doing so, Staff will receive guidance from community members as to the aesthetic spirit of Candelas.
 - a. Appointments, Terms, and Removals. CDRC volunteers are appointed by, and may be removed by, the Board of Directors with or without cause. CDRC volunteers must be residents of the District. The term of volunteer members of the CDRC shall be approximately one year and run from the annual regular meeting of the District's Board of Directors to the next such annual regular meeting (or such special meeting held in substitute thereof). Any CDRC volunteer member that is appointed between annual regular meetings of the District's Board of Directors shall serve until the next such annual regular meeting (or such special meeting held in substitute thereof).
 - b. Applications. The District shall solicit applications from interested residents of the District to serve on the CDRC throughout the year. A notice of applications shall be posted on the District's website for a minimum of two weeks before any appointment is made. Such applications may be reviewed by the members of the Board.
 - c. Resignations and Vacancies. Any CDRC volunteer member may resign by giving written notice to the Chair of the Committee or to the Board. Such resignation shall take effect at the time specified therein. The acceptance of the resignation is not necessary to make it effective. Any vacancy occurring on the CDRC by resignation or removal shall be filled by appointment by the Board.
- 4. **Revisions to Charter.** The Board of Directors may revise this Charter at its discretion at any time and shall provide notice to the CDRC of any revisions to the Charter's terms.

Whereupon, a motion was made and seconded, and upon a majority vote this Resolution was approved by the Board.

ADOPTED AND APPROVED THIS _____ DAY OF _____, 2024.

VAUXMONT METROPOLITAN DISTRICT

President

ATTEST:

Secretary



RESIDENTIAL DESIGN STANDARDS

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ARTICLE I. INTRODUCTION

Section 1.1 COMMUNITY

Candelas strives to be a place that brings neighbors together to create a true ‘community’ of people that care for the land, the environment, and each other. It captures the essence of Colorado by capitalizing on spectacular mountain views and providing extensive trail systems and outdoor recreational opportunities. Focusing on neighborhood and housing diversity enhances the community’s commercial, employment, and civic goals. Candelas provides pedestrian circulation by providing numerous open spaces and detached trails connecting neighborhoods to amenities such as parks and commercial areas. In particular, the Town Center is a focal point for neighborhood retail, restaurants, entertainment, and civic opportunities.

Section 1.2 STEWARDSHIP

Green building standards, new methods for renewable energy, and sustainable design standards have been established to increase efficiency and reduce energy consumption throughout the community. Candelas promotes best practices in recycling, water conservation, light pollution mitigation, soil preservation, wildlife protection, and sustainable development. Located in the heart of Colorado’s ‘Research Corridor,’ Candelas capitalizes on the significant educational, research, and technology institutions that surround the community, including CU-Boulder, National Institute of Standards and Technology, National Oceanic and Atmospheric Administration, Interlocken Technology Park, National Renewable Energy Laboratory and Colorado School of Mines.

These Residential Design Standards are intended to guide the residential portion of the Candelas community. The boundaries of these standards are from the West edge of the Jefferson Beltway right-of-way on the East, State HWY 72 and Candelas Parkway to the South, and the Western boundary of Filing 4 and Rocky Flats National Wildlife Refuge to the North.

Section 1.3 COMMUNITY BACKGROUND

Candelas community is a 1,451-acre mixed-use, master-planned community that embraces a new and unique way of life. The community’s design mirrors the region’s values by emphasizing the preservation and enhancement of open space, progressive technology, and environmental stewardship. Inspired by an extraordinary setting, Candelas will capture the exceptional views of Downtown Denver, the mountains, and the brilliant night sky. Candelas strives to be a model community of balanced land uses that provide employment, shopping, services, entertainment, civic, recreational, and cultural opportunities that are physically and technologically connected to the residences.

Section 1.4 PURPOSE AND OVERVIEW

These Residential Design Standards have been created to assist in the design of a refined and sophisticated community that can be respected by developers, builders, the City of Arvada, and the residents themselves. They set the design objectives and goals for the residential property within Candelas and expressly and intentionally do not include any standards for the development of the commercial portion of Candelas community, located in front of Townview Recreation Center. They promote consistency and quality in materials and form throughout all aspects of the residential development. These standards will be used by Candelas Design Review Committee (“CDRC”) to review specific development requests within the Residential Development Boundary. To the extent that builders within the community have already obtained approvals for their construction from Arvada Residential Partners, LLC or its successors or assigns, it is not the intent that builders seek additional approvals from the CDRC.

Section 1.5 CANDELAS DESIGN REVIEW COMMITTEE (CDRC)

The Committee has jurisdiction over design review for proposed improvements, enhancements, or physical changes (“Improvements”) on all privately owned parcels at Candelas.

As specified in the Protective Covenants and Easements (PCEs), the CDRC ensures that all proposed Improvements at Candelas comply with the community's design principles as reflected in these standards. The CDRC members use their discretion and make final determinations in good faith per the direction provided in these standards.

CDRC approval is required before any installation or exterior physical modifications in Candelas is completed. The applicant shall submit such plans and specifications necessary to demonstrate conformance with the intent of these standards. The scope of the CDRC shall generally cover those elements related to all outside improvements, enhancements, or physical changes ("Improvements").

The CDRC, from time to time, may require other information as needed to describe the proposed improvements fully.

All applicants must address and meet applicable local, state, and national codes and regulations. The CDRC is not responsible for reviewing or approving any plans and specifications regarding accessibility, visit ability, engineering design, structural engineering, safety, or for compliance with any applicable zoning, building, or other local, state, and federal laws, ordinances, and policies.

In addition to CDRC approval, all property owners desiring to change their property will be solely responsible for ascertaining and obtaining City Permits as required by the City of Arvada.

ARTICLE II. DEFINITIONS

The following sections define words and phrases used in this document. Defined words and phrases are indicated by capitalizing the first letter of a defined word or of each word in a defined phrase.

"CANDELAS" means and refers to the real property which is owned by the Declarant and as of any particular time, any additional real property that has been annexed or otherwise made subject to the legal documents of the District by a Supplemental Declaration.

"APPLICABLE LAWS" means the decrees, edicts, laws, orders, ordinances, promulgations, regulations, Residential Design Standards, and statutes of all federal, local (including the City, the County, and the Districts), or state governments (including, but not limited to, all agencies, departments, divisions or parts thereof) having or from time-to-time exercising jurisdiction or authority over the Candelas.

"ARA" means the Architectural Review Application submitted by any Owner to the District for approval of any Improvement, together with the applicable ARA submittal fee.

"BUILDER" means (i) any Person who acquires one or more parcels of the Property for the purpose of constructing a Unit on each such parcel for sale, and/or rental, to the public, and (ii) any Person who acquires one or more parcels of the Property for sale to any Person fitting the description in Section 1.1(i) and/or for constructing a Unit on each such parcel for sale, and/or rental, to the public.

"BOARD OF DIRECTORS" shall mean the board of directors of the District or Districts.

"ARVADA RESIDENTIAL PARTNERS, LLC" ("ARP") is the Master Developer within Candelas.

"CITY" means the City of Arvada, Colorado.

"COUNTY" means Jefferson County, Colorado.

"COOL SEASON TURF" is natural turf such as tall fescue, Kentucky bluegrass, perennial ryegrass, etc.

"DISTRICTS" - "Cimarron Metropolitan District ("Cimarron") and Vauxmont Metropolitan District ("Vauxmont") (each a "District" and together the "Districts") are quasi-municipal corporations and political subdivisions of the State of Colorado located in the City

of Arvada (the "City"), Jefferson County, Colorado.

"FINAL DEVELOPMENT PLAN" ("FDP") (City of Arvada)

"FINES" means any monetary penalty imposed by a District against a lot owner due to a violation of the PCEs or the Residential Design Standards by such lot owner, a member of the lot owner's family or a tenant, guest, licensee, or invitee of the lot owner or any of the foregoing.

"INDUSTRIAL SITE" means any lot zoned and used for industrial purposes (as defined under applicable laws related to zoning) and which is designated as an Industrial Site in the Supplemental Declaration for such lot.

"INTERGOVERNMENTAL AGREEMENT" is any agreement that involves or is made between two or more governments in cooperation to solve problems of mutual concern. Intergovernmental agreements can be made between or among a broad range of governmental or quasi-governmental entities.

"LOT OR LOTS" means a physical portion of the Candelas which is designated for separate ownership or occupancy, and the boundaries and identifying number of which are described in or may be determined from the PCEs and/or a plat. A lot or lots may be a Residential, Commercial or Industrial Site. As used herein, the definition of a lot shall include a separate fee parcel, a condominium unit, a town-house unit, a lot on a plat, or other portion of property designated for separate ownership.

"LEASES" mean and refer to any agreement for the leasing or rental of a site, and shall specifically include, without limitation, a month-to-month rental.

"METROPOLITAN DISTRICT PROPERTY" means any real property within the Candelas now or hereafter owned or leased by the Metropolitan Districts, together with all landscaping improvements, trails, open space, irrigation systems, monuments and other Improvements now or hereafter located on such Metropolitan District Property.

"NEIGHBORHOOD" means any area of the Candelas having a similar type of housing, such as an area with detached single-family homes, an area with attached homes (duplexes), or an area with multi-family housing, such as townhomes and/or condominiums. The area of Candelas within a specific Neighborhood may be identified as such in a Supplemental Declaration, or it may simply be an area of Candelas subject to this Declaration which is comprised of similar housing, and which is designated as a Neighborhood by the Metropolitan District. A Neighborhood may contain more than one type of housing if so, stated in the Supplemental Declaration for that Neighborhood or as approved by the Metropolitan District.

"NEIGHBORHOOD ASSOCIATIONS" means any Colorado corporation, nonprofit corporation or limited liability company, and its successors and assigns, organized and established or authorized pursuant to, or in connection with, any portion of the Candelas.

"NON-VEGETATIVE TURF" means a covering of non-growing, synthetic material intended to resemble Turf Grass.

"NOTICE OF VIOLATION" means a written notice given by the CDRC, as applicable, to an owner notifying the owner that such owner is responsible for a Violation of the Restrictions, which may include notification of the time period in which the owner has to correct, remedy or otherwise remove the violation, or notification of the date, time and place of a hearing related thereto.

"PROTECTIVE COVENANTS AND EASEMENTS" or "PCEs" means the Protective Covenants and Easements of Candelas recorded on March 26, 2012 at Reception No. 2012032029 in the County real property records..

"PLAT" means collectively the Recorded plats of the Candelas, and all Recorded amendments, corrections and replats, together with any subsequently Recorded plats of the Candelas or other real property which becomes subject to the PCEs. Every owner should obtain a copy of the Plat depicting their lot to better understand the location of utility easements and any other encumbrances on the property.

"PUBLIC FACILITIES" means facilities that may include, but are not necessarily limited to, community building and recreation centers, municipal parks, neighborhood parks, related parking, picnic shelters and picnic tables, playgrounds, plumbed restrooms,

open areas for passive recreational use, public viewing areas, school grounds, soccer fields, softball diamonds, basketball courts, tennis courts, trails, and other facilities that are (a) owned by the City, the School District, the Metropolitan Districts or a Neighborhood Association, and (b) intended to be used by the general public. The foregoing list of Public Facilities is non-exclusive, and is intended to be only an example of those types of Public Facilities that may exist; provided, however, that (i) some or all of such Facilities may not be constructed, (ii) the term "Public Facilities" only applies to those facilities that are actually constructed, and (iii) the term "Public Facilities" does not, for the purpose of this document, include any Golf Course or any Golf Course Facilities.

"PUBLIC FACILITIES RISKS" means all risks attendant to or associated with the operation of the Public Facilities. Such risks include, without limitation, injury to person or property or both arising out of, or resulting from, (a) the construction, design, maintenance, operation, or use of the Public Facilities, (b) lights and noise associated with the Public Facilities (including by way of example and not by way of limitation, lights and noise generated by blowers, compressors, crowds, lights used to illuminate night time activities on the Public Facilities, mulchers, parked cars or vehicles of persons using the Public Facilities, public events held from time to time on the Public Facilities, pumps, tractors, traffic, utility vehicles, and wells), (c) trespass, acts, or omissions of persons employed in connection with, using, or otherwise on the Public Facilities, (d) the use of reclaimed water, treated waste water, or other sources of non-potable water for irrigation and overspray in connection with such use, (e) the use of fertilizers, insecticides, and pesticides in connection with the maintenance of the Public Facilities, together with overspray in connection with such use, (f) drainage resulting from drainage easements established for the Public Facilities to the extent such drainage is in accordance with the drainage plan established for the Candelas, (g) creeks, water courses, and waterways constructed or located on a Tracts, and (h) the fact that the Public Facilities may constitute or be considered an "attractive nuisance" under Applicable Laws.

"STANDARDS" means the Design Standards promulgated and adopted by the District and administered by the CDRC, including without limitation these Residential Design Standards.

ARTICLE III. SUBMISSION REQUIREMENTS

Section 3.1 SUBMITTAL SUBMISSION PROCEDURE AND COLLECTION OF SUBMISSION PAYMENT

Your builder should deduct the initial ARA submittal fee for backyard project installation at the time of closing. If your builder did not deduct the initial application fee of \$150.00 at the time of closing, you will be responsible for paying the fee with the initial submittal. A \$75.00 application fee for any subsequent ARA submittal is required.

Owners must submit an ARA for the following Improvements, but no application fee is required: Solar systems installed in compliance with the requirements of these Residential Design Standards; Radon systems installed in compliance with the requirements of these Residential Design Standards; repainting in the identical style, color, and locations as original construction; re-roofing using the same tile, color, and brand; satellite dishes of less than 1 meter in diameter; play structures that are not permanently installed on the Lot.

Submit completed ARA and submission payments to the following:

Drop off Option
Parkview Swim & Fitness Club
19865 W 94th Avenue
Arvada, CO 80007
Monday – Friday
10:00 AM – 5:00 PM

Mail Option
Candelas
9371 McIntyre St
Arvada, CO 80007

Please make checks payable to Vauxmont Metropolitan District.

Find email information on the website at:
<https://www.candelascommunity.com/contact-us/>

Please note that the ARA will not be processed until payment and required documentation has been received.

Section 3.2 SPECIFICATION SUBMISSION REQUIREMENTS

No improvement(s) shall be constructed, erected, placed, altered, planted, applied, installed, or modified upon any lot unless said improvement(s) have been reviewed and approved by the CDRC per the Protective Covenants and Easements of Candelas. When in doubt, a homeowner should always err on the side of caution and submit an ARA to the CDRC for changes on the property.

- Neighbor Notification Form **MUST** be included for improvements for, or changes to window wells.
- Incomplete ARA's will not be submitted to the CDRC for review.
- Completed ARA's can be emailed, mailed, or delivered to the above addresses.
- Submittals should be emailed and sent in PDF format.
- All ARA's should include the following in addition to the items listed on the application when applicable:
 - Property access plan (how the contractor will be accessing your property to install improvement)
 - Contractor name and contact information
 - All Plans must include the square footage of the rear or side yard and the percentage of the square footage where Turf will be planted.
 - The type, size, and color of rock being used.
 - Plants should be graphically shown on submittals at 100% of mature size, i.e., an oak that grows to a 50' canopy diameter shall be drawn with a circle measuring 50' in the scale of the plant. Plant spacing must be shown as at least 75% of mature size.
 - Description of materials being used for the improvement.
 - List of plant material to include size and height. All plants must be identified with their specific names (generic terms such as "deciduous," "canopy," or "evergreen" cannot be accepted for review).
 - Indicate grading changes (requires engineering drainage certificate)
 - Indicate distance from fence line when installing play equipment and such items
 - Soil amendment information must be included in the plan notes. Soils must be amended with at least three (3) cubic yards of compost per 1,000 square feet of soil.
 - Review the soils report recommendations relating to foundation planting. Positive drainage away from the foundation should be maintained to a distance of approximately 10', or as specified in the soils report.
 - Dimensions for the width of paths and walks must be provided.
 - The minimum width must be identified and may not be less than 3 feet.
 - Proposed paths designed of individual pavers/stones less than 36" in width must be noted on the plan, and a request for deviation from the standards included in the plan notes explaining why the reduced width is proposed.
 - Paint Color Schemes and samples

Please note that this is not a complete list of items that may be required depending on the Improvement request.

Section 3.3 REVIEW PROCESS

The CDRC has up to forty-five (45) days to review all **completed** ARA submissions. Approval may be given with conditions. In the case of a denied request, the forty-five (45) day period will begin upon receipt of the re-submitted application with a resolution of all denial conditions.

Once a Homeowner receives approval from the CDRC, timely completion of improvements and construction may commence. Approved improvements **MUST** be completed within 12 months.

All newly built homes have 180 days from closing on the property to complete backyard installation.

Section 3.4 NOTICE OF COMPLETION

When the approved improvement(s) has been completed, the resident must notify the CDRC of the completion to schedule an inspection. Failure to inform the CDRC of the completed project can result in a covenant violation and may result in fines being assessed.

Inspections of completed improvement(s) before or after completion are done to determine whether or not the modification(s) is being conducted or has been completed in compliance with the approved ARA.

Section 3.5 CORRECTION OF NONCOMPLIANCE

If, as a result of inspections or otherwise, the CDRC determines that any improvement(s) has been done without obtaining the required approval or was not done in substantial compliance with the approval that was granted, or was not completed within one (1) year after the date of approval (except for the Master Developer and Builders, who are not subject to such time requirement), subject to any extensions of time granted, the CDRC shall notify the applicant in writing of the non-compliance, which notice of noncompliance shall be given within sixty (60) days after the CDRC receives a Notice of Completion from the applicant. The statement of non-compliance shall specify the particulars of non-compliance.

If the CDRC determines that noncompliance exists, the Person responsible for such noncompliance shall remedy or remove the same and return the subject property or structure to its original condition within forty-five (45) days from the receipt of the notice of noncompliance.

ARTICLE IV. LANDSCAPE STANDARDS

Make sure to read all landscaping provisions, as specific requirements only apply to certain lots and landscape design types. The following landscape standards should be adhered to as follows, to the extent relevant to the specific property layout and landscape design:

- A diversity of live plant species is encouraged. Plants should be selected for seasonal interest, habitat value, drought tolerance, and aesthetics.
- Residential landscaping may follow the principles of Xeriscape design.
 - Low water plants
 - Promote water efficiency
 - Avoid overwatering of turf with spray irrigation to reduce runoff
 - Potable water reduction in the landscape
 - Minimize water demand by demonstrating shrub bed areas will not exceed a water budget of 5 Gal/Sq Ft/Yr
 - Large expanses of Turf are discouraged because of their water consumption
- Turf means a covering of mowed vegetation, usually Turf Grass, growing intimately with an upper soil stratum of intermingled roots and stems
- Turf Grass means continuous plant coverage consisting of nonnative grasses or grasses that have not been hybridized for arid conditions which, when regularly mowed, from a dense growth of leaf blades and roots
- Turf is permitted in front yards, provided that it is in an area at least eight feet wide that can be efficiently irrigated.
- Turf colorant is NOT PERMITTED.
- Hedges may be allowed with CDRC approval.
- Soil can be amended with a minimum compost rate of three (3) cubic yards per 1,000 square feet and tilled to a depth of at least six (6) inches.
- Plant material shall be spaced to avoid infringing on walks and buildings.
- Do not use invasive and high-water demand plant species.
- Plant materials should be spaced at no less than 75 percent of their mature size.
- For lots that back onto open space, the plant materials should transition to a native palette close to the open space

boundary.

- All woody plants shall be chosen from the Candelas Approved Plant List. Perennial and annual flowers are at the discretion of the homeowner.
- Porous weed barriers are permitted under gravel or rock mulch but is discouraged under fiber mulch to minimize wind and water erosion.
- Large cobble (larger than 6") should not be used as mulch except in small areas or landscape features.
- 100% coverage is required with the combination of Turf, hardscape, mulch, planter beds, ground cover, etc.
- Where space permits, deciduous shade trees should be planted on the south and west sides of buildings and outdoor spaces to provide summer shading and allow winter sunlight. This reduces the need for cooling of buildings and increases the comfort of outdoor spaces.
- Maintain all drainage patterns identified on the residential plot plan as water enters or leaves the property.
- Refer to the foundation structural report for any drainage requirements or irrigation limitations around the foundation.
- Irrigation and drainage patterns should avoid introducing moisture around the foundation.
- Be aware of all utility lines and easements. Call for utility locates before any digging and soil protrusion.
- Trees are strongly discouraged in the utility easements, and owners are responsible for any costs associated with trees in the easement.
- Utilize porous landscape weed control fabric under all rock mulch beds.
- Preferred mulch shall be a minimum 3" depth, 3/8" – 1 1/2" river rock (natural in color) or granite (gray in color), over porous landscape weed control fabric. Other mulch types and sizes may be considered by the CDRC and may or may not be approved. Wood mulch is not permitted in large areas and should be limited to perennial/ annual planting beds due to wind and water erosion. If wood mulch is used, the Homeowner is responsible for containing eroded mulch to their property. Identify each mulch type in plan notes.
- Equipment and materials **MUST** be delivered through the residential site only. Use of Metropolitan District property is strictly **PROHIBITED**. The streetscape and areas behind lots are Metropolitan District property.
- Streets may not be obstructed by objects and building materials hazardous to pedestrians, vehicles, etc. Items such as but not limited to sand, rock, and building materials may not be stored on streets, sidewalks, or Metropolitan District property.
- EXHIBIT A details plants that are permitted in Candelas. EXHIBIT B details plants that are prohibited in Candelas. In addition, the CDRC recommends that all owners consider planting firewise landscaping designs.
- ***Caution** – Fertilizers with iron will stain concrete when water is applied. Make sure to sweep off all fertilizer before watering.

ARTICLE V. VEGETATION

The following methods should be considered in the planting design where appropriate to support the objectives stated in the landscape standards:

- Street trees are located at 40' on center (O.C.) to shade streets and sidewalks
- Select native plants, locally grown when possible
- Select vegetation that supports regional wildlife through cover or forage
- Till soil amendments at a minimum depth of 6"

Section 5.1 MINIMUM PLANTING SIZE REQUIREMENTS

- Groundcover (except Turfgrass) – 1 Gallon container with 12" spread
- Shrubs – 5 Gallon container minimum and 2' in height; except those ornamental grasses may be 2-quart containers
- Evergreen Trees – Minimum of 6' in height at the time of installation
- Canopy/Shade/Ornamental Trees – Minimum of 1.5" in caliper (thickness) at the time of installation

Section 5.2 FRONT YARD REQUIREMENTS (work shop definitions for the front, side, rear yards)

1. Must have one (1) tree minimum: shade, canopy, ornamental, or evergreen. Species must be identified on plan.
2. All new trees must be staked or guyed using metal T-post or wood lodge pole stakes. The Homeowner must maintain guy wires to keep all newly planted trees set plumb. Posts and stakes can be removed after two (2) years from installation.
3. Weed barrier must be installed under all shrub and mulch beds and must be included in notes.
4. Must have a minimum of 75% shrub bed coverage (mature size), per the City of Arvada
5. Must have no more than 50% Cool Season turf grass. Dimensions for Cool Season turf grass areas must be provided, and the minimum width must be noted and may not be less than eight (8) feet. The square footage of the cool season turf grass, overall front yard, and shrub areas should be noted on the plan. The percent of cool season turf grass to the overall front yard area must also be reported.
6. There is no minimum requirement for cool season turf grass.
7. 100% coverage is required with the combination of cool season turf grass, hardscape, mulch, planter beds, ground cover, etc.
8. Nonvegetative Turf is not permitted in front yards or areas in front of side yard fences.

Section 5.3 REAR YARD REQUIREMENTS (INCLUDES SIDE YARDS, EXCEPT ALONG STREETS)

1. Must have one (1) tree minimum: shade, canopy, ornamental, or evergreen. Species must be identified on plan.
2. Must have three (3) trees minimum when adjacent to open space.
3. All new trees must be staked or guyed using metal T-post or wood lodge pole stakes. The Homeowner must maintain guy wires to keep all newly planted trees set plumb. Posts and stakes can be removed after two (2) years from installation.
4. Must have no more than 50% Turf relative to the total area of rear and side yards (except side yards along streets). The length and width of the Turf area must be shown. The square footage of both yard and Turf is to be noted on the plan, as is the percent of Turf to the overall yard.
5. Cool season turf or Nonvegetative Turf is permitted, but only as described below.
6. Trees are strongly discouraged in the utility easements (5' to 8' feet from property line; see the Plat)
7. Must utilize 3" minimum depth of rock mulch, river rock (natural in color) or granite (gray in color), between 3/8" and 1 1/2" in size over weed control fabric (plan notes must specify the above for each area of rock). Larger rock/cobble is not permitted as mulch except in minimal areas when used for drainage ways.
8. Water use must be provided and expressed as average gallons per square foot per year. Five (5) gallons per square foot is the maximum average per year allowable.
9. Weed barrier must be installed under all shrub and mulch beds and must be included in notes.
10. In smaller isolated areas such as perennial/annual flower beds, wood mulch may be permitted.
11. 100% coverage is required with the combination of Turf, hardscape, mulch, planter beds, ground cover, etc.

Section 5.4 SIDE YARD (ADJACENT TO STREETS) Checking on utility easements

1. Must have no more than 25% Turf relative to the total side yard area. If Turf is proposed, the square footage of the Turf inside yard along the street and square footage of the side yard total should be noted on the plan, as well as the percent of Turf in the side yard.
2. Must utilize a 3" minimum depth of rock mulch river rock (natural in color) or granite (gray in color), between 3/8 and 1 1/2" in size over weed control fabric (plan notes to specify above for each area of rock).
3. Must have a minimum of 75% shrub coverage (mature size), per the City of Arvada.
4. Trees are strongly discouraged in the utility easements (5' to 8' feet from property line; see the Plat)
5. 100% coverage is required with the combination of Turf, hardscape, mulch, planter beds, ground cover, etc.

ARTICLE VI. STREETSCAPE DESIGN

Street geometries throughout Candelas are generally based on the City of Arvada's Street section standard. In certain instances, sidewalks will be included to accommodate connections within the community-wide trail network and primary trail system.

Streetscape, also known as Tree Lawn on the PUD, is defined as the space between the curb and the sidewalk.

Section 6.5 FRONT YARD STREETScape REQUIREMENTS

The Streetscape located on the side of Single Family Detached (SFD) lots are landscaped by the builder with a minimum of the following to ensure consistency throughout Candelas:

- One (1) tree per lot, or at least one (1) tree for every 40 feet of lineal frontage along roads
- Four (4) Shrubs
- Ten (10) Ornamental Grasses
- Shrub, perennial, and/or groundcover plantings shall be installed to cover 75% of the ground area at maturity.
- Shall not be planted with Nonvegetative Turf
- Unless otherwise approved by the CDRC, must utilize 3" minimum depth of rock mulch river rock (natural in color) or granite (gray in color), between 3/8" – 1 1/2" in size over weed control fabric (plan notes must specify the above for each area of rock)

Owners who must repair, replace, or undertake maintenance of the Streetscape must adhere to the original landscape design.

ARTICLE VII. IRRIGATION

- Spray irrigation shall only be limited to the turf or low ground covers. Drip, bubbler, or sub-surface irrigation shall be used in all other cases and must be included in notes
- Spray irrigation is not allowed within 6' of building foundations or as stipulated within a soil report and must be included in a note
- Refer to the foundation structural report for any irrigation limitations around the foundation
- Install automated/programmable sprinkler irrigation system to better manage frequency and duration of irrigation

ARTICLE VIII. NONVEGETATIVE TURF

Section 8.1 GENERAL NONVEGETATIVE TURF REQUIREMENTS

- Nonvegetative Turf Grass means a covering of non-growing, synthetic material intended to resemble Turf Grass
- The Nonvegetative Turf must be natural in appearance and integrated into the overall landscape design in a natural-looking manner so as not to appear as a sports field, and it shall not be installed directly adjacent to the property line
- No Nonvegetative Turf shall be installed or approved in the front yard. Nonvegetative Turf is approvable for use in rear yards only
- Nonvegetative Turf shall not be installed directly adjacent to property lines (rear yards Turf should be installed adjacent to 3' rock or mulch bed)
- Nonvegetative Turf shall be comprised of at least two yarn-type colors (green and tan) for a natural appearance. Putting greens may be of a single yarn type (green)
- The circumference of a putting green must be bordered by a transitional pile height Nonvegetative Turf so as to appear natural
- Yarn denier must be a minimum of 5,700 for putting greens, 7,000 for yards
- The general appearance of Nonvegetative Turf must be designed and installed in such a manner as to simulate the appearance of a well-maintained lawn effectively
- Uniformity must be maintained in all areas of Nonvegetative Turf
- Nonvegetative Turf must not be installed on grades greater than 6% unless reviewed and approved by a licensed professional. The expense of such professional consultation is the sole responsibility of the Homeowner

- The edges of Turf rolls must not be exposed
- The maximum area of Nonvegetative Turf permitted in rear yards shall adhere to the same standards as Cool Season turf grass
- Pile height (length of blade) must be at least 1.75” and not greater than 3”
- Pile weight must be between 30 and 80 ounces per square yard
- Nonvegetative Turf must be protected by a minimum of an 8-year materials warranty, which must not be limited by the amount of usage, turf elevation, or type of footwear that can be worn
- Nonvegetative Turf must allow for 10’ of standing per hour minimum vertical drainage
- Nonvegetative Turf must be protected from UV damage
- Infill material must consist of sand, rubber, or a combination thereof
- Sand must be silt free
- Rubber with steel filaments is not permitted
- The primary backing system (material that holds the blades in place) must contain a minimum of 8 ounces per square yard. Its primary function is to filter water through the Turf
- The secondary backing system must contain a minimum of 8 ounces per square yard
- Felt backing is not permitted

Section 8.2 INSTALLATION

- Nonvegetative Turf must provide adequate drainage, both horizontally and vertically
- Nonvegetative Turf **MUST NOT** be placed over existing grass or concrete. Dirt or adequate hardscape subgrade must be installed
- Subgrade should include a geotextile fabric between the existing, compacted soil and the porous aggregate material. The porous Aggregate layer is defined as a material that is compacted and will provide stabilization stability for the subgrade, and the material should be porous enough to allow for sufficient vertical drainage
- Nonvegetative Turf must be adequately secured – no ripples or seams showing Nonvegetative Turf must be well-secured to prevent rippling or seams becoming visible
- The stitch rate should be a minimum of ten (10) stitches per 3”
- Tear Strength should be a minimum of 200 lbs
- Nonvegetative Turf edges must be finished and anchored with either concrete curb, treated wood header, trench drain, or an approved composite edging material. Turf needs to be securely fastened to prevent any lateral movement of the backing material
- Nonvegetative Turf must have a prepared base of “infill” as defined in the product specification section
- Nonvegetative Turf must have a minimum 1-year installation/workmanship warranty
- Seaming must be completed using an approved tape and glue, or stitching
- Must include a geotextile fabric between existing compacted soil and porous aggregate material

Section 8.3 MAINTENANCE STANDARDS

- The manufacturer and/or installer shall provide the Homeowner with detailed maintenance instructions for the Nonvegetative Turf
- Removal of all organic material from the surface
- Please remove animal waste frequently, and rinse the area with a hose to mitigate unpleasant odors. Urine should flow through the Nonvegetative Turf like rainwater
- Spray irrigation system is recommended if using Nonvegetative Turf in yards containing pets; this allows for regular washing of materials
- Color and appearance of Nonvegetative Turf must remain as originally submitted to the Architectural Committee. If not, this constitutes a covenant violation and is subject to enforcement action. In more detail, the property would be considered in violation of landscape maintenance and possibly subject to levied fines or other sanctions until the matter is rectified

ARTICLE IX. ALLEY LOT REQUIREMENTS

- Both side & rear yard areas are considered the rear yard for the purpose of calculations. Turf requirements for the backyard will be utilized. If Turf is proposed, the length and width dimensions of the Turf area shall be shown. The square footage of both yard and Turf shall be noted on the plan, and the percent of Turf to the yard shall also be noted.
- Alley Planting: A 5' minimum planting strip shall be planted between the fence and alley and shall have a minimum of 75% live plant material coverage after three (3) years
- All utility appurtenances shall be fully screened from offsite views on at least three (3) sides with shrubs of a mature height of at least 4'
- When the utility appurtenances are located within the alley utility easement, they shall be fully screened from offsite views on at least three (3) sides with shrubs of a mature height of at least 4' as well as with fencing. Must utilize 3" minimum depth of rock mulch river rock (natural in color) or granite (gray in color), between 3/8" and 3" in size over weed control fabric (plan notes must specify the above for each area of rock). Larger rock/cobble is not permitted unless approved by the CDRC
- Water use must be provided and expressed as average gallons per square foot per year. Five (5) gallons per square foot is the maximum average per year allowable
- Weed barrier must be installed under all shrub and mulch beds and must be included in notes
- In smaller isolated areas such as flowerbeds, wood mulch may be permitted

Section 9.1 REAR YARD REQUIREMENTS (INCLUDES SIDE YARDS, EXCEPT ALONG STREETS)

- Must have one (1) tree minimum: canopy, ornamental, or evergreen
- Must have three (3) trees minimum when adjacent to open space
- Must have no more than 50% Turf relative to the total area of rear & side yards (except side yards along streets). The length and width of the Turf area must be shown. The square footage of both yard and Turf is to be noted on the plan, as is the percent of Turf to the overall yard
- Trees are strongly discouraged in the utility easements (5' – 8' feet in distance; see the Plat)

Section 9.2 FENCING

Lot Line fencing shall be 3-rail fencing composed of #1 Grade Cedarwood and must be treated or stained to a natural cedar appearance.

The only exceptions are certain limited areas where screen/privacy fencing has been approved on the FDP for Alley lots and certain lots abutting to commercial areas of highways. The approved stain color is "Diamond Vogel – GS 212 Cedar"; however other stain brands with the same appearance are also acceptable.

ARTICLE X. HOMEOWNER RESPONSIBILITY FOR PRIVATE CONTRACTORS

Homeowners assume responsibility for all contractors hired to work within their lot lines. This includes damages made by Contractors to the property owned by the District when providing services to your lot; access by such means is prohibited and may result in fines and reimbursement obligations. The District will repair any damages, and the Homeowner will be responsible for reimbursement to the District.

Homeowners also assume responsibility for any damage to streets or sidewalks from contractor materials (i.e., rocks, sod) stored outside the home for prolonged periods.

ARTICLE XI. RESIDENTIAL DESIGN STANDARDS

Residential Design Standards are created to protect your investment as a homeowner and supply a common framework for the Residential Site. Residential Design Standards concerning and governing the use of Residential Sites may be adopted, amended, or repealed from time to time by the Metropolitan District. Such Residential Design Standards may address matters not expressly appearing in the Protective Covenants and Easements (PCEs) of Candelas, provided that the Residential Design Standards shall not contradict the provisions of the PCEs. Where Residential Design Standards are guidelines and not specific mandates; consider the following Residential Design Standards to increase the likelihood of CDRC approval; the CDRC recognizes that not all standards apply to all building styles. The Metropolitan District may establish and enforce penalties for the infraction of such Residential Design Standards or any conditions of approval by the CDRC, including, without limitation, the levying and collecting of fines and other sanctions. Certain portions of the Residential Design Standards are contained in their own subheading, but headings should not be interpreted to make any part of these Residential Design Standards more or less valid.

Section 11.1 ACCESSIBILITY

Reasonable modifications may be permitted to the Residence Site, such as access ramps, landings, and railings, as long as they are compatible with the home's architectural character.

All accessibility modifications must be submitted to the CDRC for review and approval before installation. Owners are responsible for all expenses related to modifications.

Section 11.2 ADDRESS NUMBERS

All homes must have a house number visible from the street and all house number(s) replacing the original number(s) do not need CDRC approval as long as they do not exceed six (6) inches in height and the entire area of the sign shall not exceed 1 square foot. Acceptable materials shall include but are not limited to wood, ceramic tile, and metal.

Section 11.3 A/C RESIDENTIAL SITES – WINDOW-MOUNTED EQUIPMENT

Cooling and Heating Systems. No types of refrigerating, cooling, or heating apparatus shall be permitted on the roof of any Residence Site unless such system is approved in writing by the CDRC. Further, no such device shall be permitted elsewhere on a lot except when appropriately screened and approved by the CDRC.

Conventional air conditioning units located on a residential site's ground are permissible when approved by the preceding sentence.

- Cooling equipment shall not be allowed in windows that are visible from a public right-of-way
- Cooling equipment shall comply with the following as stated for roofs, that flues, satellite dishes, etc. are to be placed to the rear of the home or in a less prominent area, when possible, to minimize the impact from the street - similar sensitivity shall be given to window-mounted mechanical equipment.
- The preferred location for evaporative coolers is ground level. If adequate cooling cannot be achieved with a ground-level evaporative cooler, a roof-mounted cooler with CRDC-approved screening may be used.

Section 11.4 COLUMN DETAILS

- Must submit an application to the CDRC for review and approval before installation
- Columns and posts expose the underlying structure of the home. Efforts should be made to respect their function and incorporate them into the architectural character of the home
- Do not terminate masonry piers on the slab. Instead, the masonry piers should continue past the deck and be incorporated into the grade
- Columns should be indicative of the overall building composition and visually proportionate to support the weight they are carrying
- Columns, piers, and posts should reflect the architectural character of the home

- Balusters must meet code in both height and spacing requirements
- A masonry base is required for deck columns on walk-out and garden-level lots (deck surface is at least 6' above the adjacent grade) when the Lot is immediately adjacent to a public land tract (open space, roads, etc.). This masonry base shall measure a minimum of 12" from the face of finish material to the face of finish material and extend from the ground to above the main level deck railing

Section 11.5 CONCRETE/PATIO/SIDEWALKS

Shall not be installed within the utility easement.

Owners MUST receive CDRC approval before installation for all concrete, patio, and sidewalks.

Section 11.6 DECKS

- Must submit an application to the CDRC for review and approval before installation
- In addition to CDRC approval, a Building Permit from the City of Arvada is required
- A detailed drawing of the structure/accessory (and pictures or photo simulations) must be included with the submittal
- All materials and finishes must be specified on the plan
- Notes shall include whether the structure/accessory is free-standing or attached to the house. When attached, plan notes must describe the attachment method.
- When free-standing, plan notes shall describe methods of anchoring to the ground
- Deck columns on walkouts and garden levels, specifically on lots that are adjacent to "Public Areas" (District owned property, public rights of way, property open to the general public, etc.), must be of masonry material
- The masonry should measure a minimum of twelve feet (12') from the face of finish material to the face of finish material and should extend from the ground to above the main level deck railing
- The requirement described above shall only apply when the height from grade to the top of decking boards is at or greater than 6'-0"

Section 11.7 DRAINS

- Area and planter drains must be installed for adequate drainage to permit the plants to survive and minimize the pooling of water
- There shall be no interference with the established drainage patterns over any Residential Site, or common area, without approval by the CDRC
- The landscape irrigation system should be designed to prevent excessive saturation of soils
- Planters created by walkways next to a Residential Site should connect to a collector line that positively drains to the street (see Section 3.14 of the PPCEs for additional criteria).
- A Drainage Certificate or Plan must be submitted unless the Plot Plan, noted above, includes drainage flow information

Section 11.8 DRAINAGE (SUMP PUMPS, DOWNSPOUTS, ETC...)

All Homeowners must ensure that drainage from their home is discharged to the public street without creating nuisance flows on the sidewalks.

- Drainage is not permitted to be discharged onto neighboring properties or District tracts, including District alleys
- Drainage is not permitted to discharge on top of sidewalks where slipping hazards can be created from freezing or moss build-up
- Homeowners are solely responsible for ensuring that drainage is appropriately diverted and will be held liable for any damages caused by a failure to ensure appropriate diversion

Section 11.9 EMBELLISHMENTS, TRIM & OVERHANGS

- Must submit an application to the CDRC for review and approval before installation

- Decorative elements are critical in establishing unique architectural styles. The key is to make these embellishments substantial, proportional, and authentic
- Provide adequate frieze board (2"x10" minimum) at the transition from eave to façade
- Add ornamentation to enhance the architectural style, including: brackets, frieze board, fascia trim, exposed rafter tails, apex trusses, shutters, etc., that are consistent with the building's architectural style
- Use substantial soffits and overhangs to cap roof forms
- Pot shelves, window boxes, and wrought iron details add visual interest
- Overhang dimensions should reflect the architectural style
- Window and door trim should be appropriate to the surrounding materials

Minimum trim standards include:

- Lap siding, shingle siding, board & batten siding: Header boards should be a minimum of 2x material to create depth and shadow
- Brick veneer: Headers must be a brick soldier course. Sills must be a brick rowlock
- Stone veneer: Headers may vary per Architectural Style. Heavy timber headers, stone or pre-cast lintels, and brick soldier courses are all acceptable
- Stucco: Headers may vary per Architectural Style. Stucco trim surround, 2x wood trim board, rough-sawn timber headers, stone lintels, and brick soldier courses are all acceptable
- The method to which masonry and facade materials are applied to the home is critical in establishing authenticity
- Materials on the front, side, and rear elevations, must transition on an inside corner, including masonry
- Apply materials with a hierarchy, using lighter materials above a heavier base material
- Recess windows in stucco and masonry façades to create building mass, depth, and visual interest
- Acceptable materials vary per architectural style. Refer to the Residential Architecture Styles section
- The number of wall materials used in an elevation must compliment the architectural style
- All buildings should use durable materials, economically maintained, and of a quality that will retain their appearance over time
- Lap siding shall have a maximum of nine 9" inches exposed board face
- Highly reflective, opaque materials, natural cinder block, and metals are not permitted as exterior finishes, except standing seam metal accent roof in a matte finish, as approved by the CDRC
- Masonry must show a load-bearing authenticity and continue down to grade. Do not show "floating" stone
- Headers (lintels) and sills must be included in masonry transitions around openings
- Masonry cladding shall begin and end at logical breaks, including: inside corners, ground floor windowsills, ceiling lines, etc.
- All masonry cladding shall wrap to an inside corner and wrap all sides of a column
- Use transitional trim, including a masonry wainscot cap, a brick rowlock, or a belly band to minimize exposed concrete foundation walls

The CDRC will support an interpretation of Section 6.6.3 - C - 1 of the Arvada Development Standards to include masonry above the 9'-6" point in the masonry percentage without increasing the base gross wall area.

Homes immediately adjacent to Public Areas shall have a minimum of 50" masonry as measured from the average grade to the highest eave or 9'-6" above the average grade (whichever is lowest).

Section 11.10 FIRE HAZARDS

No Residential Site may be used for any use which would constitute an unusual fire hazard. This shall not be construed as prohibiting the normal use of barbeque grills on outdoor terraces or patios, subject to reasonable regulation by the Metropolitan District pursuant to the legal documents.

Outdoor firepits may only be powered by natural gas, propane, or similar; open flames outside of contained and attended barbecue

units are prohibited.

Section 11.11 RADON MITIGATION SYSTEMS

- Must submit an application, at no cost to the resident, to the CDRC for review and approval before installation
- The external vent pipes must be installed/setback at least five (5) feet from the front corner of the house (nearest the street) on the side that the system is installed
- Preference is to have it installed in the rear if possible
- The piping and other components of Radon mitigation systems or other similar systems shall be located on a side or less prominent area, when possible, to minimize the impact on the street.
- Additionally, the components of the system shall be painted to match the exterior color of the house

Section 11.12 RAISED PLANTERS

- Must submit an application to the CDRC for review and approval before installation
- Shall be constructed of natural brick, rock, cedar, redwood timbers, or raised planters approved by the CDRC
- Shall conform to City codes. Check with the City for permit requirements
- Shall not interfere with drainage patterns or utilities
- Shall not be installed in any easements

Section 11.13 RETAINING WALLS

Retaining walls can be utilized for slopes. Heights will be limited to four (4) feet tall unless unique site conditions require otherwise. Where additional terracing is needed, walls shall be separated by a minimum of three to four (3-4) feet to allow for the planting of evergreen and deciduous plants. Wall appearance may be softened with planting wall growing Virginia Creeper. Applications for retaining walls that may alter grading or drainage must be accompanied by appropriate documentation per Section 3.14 of the PCEs (is this defined earlier in the document or do we need to spell it out). Any retaining wall shall be constructed such that it does not detrimentally impact any other property.

Standard material should be Modular Block Ashlar Blend; Retaining Wall Standard should be Red Rock LedgeStone by Cultured Stone, or Boulder Wall should be on-site boulders.

Section 11.14 ROOF MATERIALS

- As the crowning finish to the home, the roof material and color should reflect the architectural style. Diversity of colors and materials along the streetscape is also encouraged
- Repairs and replacements of like for like materials will not be charged a fee for review by the CDRC
- Deep, rich roof material colors visually anchor the home
- Conventional asphalt shingles are accepted, but clay or concrete tiles, slate, or dimensional composition shingles are preferred.
- Paint roof penetrations to match roof material to minimize visual impact
- Roof materials include concrete tiles, composition shingles, stone-coated metal roofing, and to a limited extent, metal. Metal accent roofs and photovoltaic shingles will be allowed

Section 11.15 SATELLITE DISHES/ANTENNAE

- All satellite dishes, MMDS – An antenna designed to receive (wireless cable) programming services via multichannel, multipoint distribution services; and DBS – A antenna designed to receive direct broadcast satellite service antenna must be one (1) meter (39”) in diameter, or less are permitted and do not require CDRC approval. They should be installed in the least obtrusive location where the dish can receive a good signal.
- Antenna larger than one (1) meter (39”) are generally prohibited and must be submitted to the CDRC to be reviewed on a case-by-case basis
- All satellite dishes and MMDS are to be secured on a pole or the home’s structure.

- Securing on fencing is strictly prohibited
- To the extent possible, TV Satellite Dishes, etc. must be mounted on the rear or side of a roofline; or on a ground-mounted pole located in the rear yard to minimize visibility from any public spaces, e.g., Open Spaces or Streets

Section 11.16 SCREEN/SECURITY DOORS

Screen/Security doors on the front door entrances shall be painted to match the front door's color, and the style must conform to the home's architectural character. Screen doors do not need CDRC approval if these criteria are met. Security doors require CDRC approval.

Section 11.17 SHUTTERS

Additional shutters do not need CDRC approval as long as they match existing shutters, as installed by the Builder, in style and color. Homes without shutters must submit an application to the CDRC for review and approval before installation.

Section 11.18 STAIRS

The location, material, and color of new exterior stairs shall be compatible with the existing home. Stair supports must be designed as integral parts of the house. Prefabricated metal stairs may be permitted if they are consistent with the home's architecture. The addition of any external stair system must have CDRC approval.

Section 11.19 STORAGE TANKS

No tanks for storing gas, fuel, oil, or other materials shall be erected, placed, or permitted above or below the surface of any Residential Site other than reasonably sized propane tanks intended for use with gas grills or rain barrels in backyards only.

Section 11.20 SEWAGE DISPOSAL SYSTEMS

No cesspool, septic tank, or other sewage disposal system shall be installed on a Residential Site without the prior written consent of the City and the CDRC. Any sewage disposal system shall be subject to all Applicable Laws and the Residential Design Standards of the Metropolitan District.

Section 11.21 SOLAR ENERGY SYSTEMS

- Each Homeowner may install a solar energy system that serves the Residential Site so long as
 - the design and location of the solar energy system meets the requirements of all applicable governmental ordinances and
 - said design and location receive the prior written approval of the CDRC
- Energy systems must be integrated into the roof design to respond to the roof slope and designed to minimize the profile of the collector
- Frames must be colored to complement the roof
- Natural aluminum frames are prohibited
- Support for solar equipment shall be located in a manner which minimizes visual and noise impact
- Additional information can be found in Article 3, Section 3.16 of the PCEs

Section 11.22 TRASH DISPOSAL

No trash, garbage, refuse, rubbish, or cuttings shall be deposited on any street or residential site unless placed in a container suitably located solely for the garbage pickup and screened from view. All equipment for storing or disposing such materials shall be kept clean and sanitary. To minimize unsightliness, the Metropolitan District shall have the right to restrict the placement of trash receptacles outside for collection on any day other than the actual day for trash collection.

Trash and recycling containers must be stored in the garage or not be immediately visible from the street in front of the home or from common areas of the community. Trash and recycling containers are permitted to be placed on the road after 5:00 PM the evening before and must be removed from the street by 9:00 PM on the day of pickup and stored as designated herein. Storage

along the sides and at the rear of the home is permitted with appropriate screening (see section 3.10 of the PCEs).

Section 11.23 UNSIGHTLINESS

- No unsightly conditions, structures, facilities, equipment, or objects shall be permitted to remain on any Residential Site if they are visible from adjoining property or public or private thoroughfares
- Without limiting the generality of the foregoing, service areas, storage areas, and compost piles shall be appropriately screened from view
- No clotheslines shall be permitted on any Residential Site unless they are retractable
- No lumber, grass, plant waste, shrub or tree clippings, metals, bulk materials, scrap, refuse, or trash shall be kept stored or allowed to accumulate on any Residential Site except within an enclosed structure or appropriately screened from view
- All weeds, rubbish, debris, or unsightly materials or objects of any kind shall be regularly removed from the Residential Site and shall not be allowed to accumulate thereon
- Conditions not defined: Any condition or material not expressly specified within these Residential Design Standards shall become a matter determined at the sole discretion of the CDRC.

Section 11.24 WALLS (DECORATIVE OR UTILITY)

- Must submit an application to the CDRC for review and approval before installation
- Decorative or utility walls (retaining, seat, et cetera) shall be located at least 3' – 5' feet from the property line to allow for a landscape buffer
- Walls shall be no more than 30" high (2.5' feet)
- Wall materials (stone, brick, stucco, split face block, etc.) should be selected to match the exterior color palette of the home, and color image samples must be submitted for approval

Section 11.25 WEED CONTROL

- Weeds in planted areas, sidewalks, curbs, gutters, or pavement shall be removed or killed weekly as the weeds emerge
- Weeds shall be removed (not just killed) if they are larger than 2" inches (5 cm) in height or diameter
- Dispose of weeds off-site. Pre- and post-emergent herbicides may be used
- Regular maintenance of the mulch or decorative rock layer will help minimize weeds in shrub and groundcover areas

Section 11.26 WINDOW AWNINGS/SUNSCREENS

- Must submit an application to the CDRC for review and approval before installation
- Awnings must be compatible with the color and design of the existing home
- They must be simple in design and color
- Must have _____ features
- The size, location, and form must be in scale with the window
- Awnings must be adequately maintained to the satisfaction of the CDRC and may not be kept when frayed, split, torn, or faded
- Temporary sunshades (to include Sun sails) attached to the outer wall of the house, patio cover, or gazebo such as rolls of bamboo, fiberglass, or reed are not permitted
- A detailed drawing of the structure/accessory (and pictures or photo simulations) must be included with the submittal
- In addition to CDRC approval, a Building Permit from the City of Arvada is required
- All materials and finishes must be specified on the plan
- Notes shall include whether the structure/accessory is free-standing or attached to the house. When attached, plan notes must describe the attachment method. When free-standing, plan notes shall describe methods of anchoring to the ground

Section 11.27 WINDOW COVERINGS

Only curtains, drapes, shutters, or blinds may be installed as permanent window covers. No bedsheets, aluminum foil, visible foil window insulation, paint, newspaper, or similar coverings deemed inappropriate for a window covering shall be applied to the

windows or doors of any home.

Homeowners may use white sheets or temporary paper blinds to cover windows after closing, pending the installation of drapes, curtains, shutters, or other appropriate interior window coverings for three (3) months from the closing. Interior window coverings do not need CDRC approval.

Section 11.28 WINDOW & DOOR COMPOSITION

Windows and doors not only provide a connection from the public to the private realm, but they also frame the views of the outside world and should be strategically placed.

- Shutters must be proportionate to the window openings.
- Divided lights are encouraged in windows to strengthen the architectural character
- Window and door proportions and compositions should reflect the architectural style of the home
- Repetitive windows of a consistent size are encouraged. Randomly placed windows are discouraged
- Windows and doors should have stylistically defined top, bottom, and side trim. This trim should be consistent on all four sides of the home
- Doors with integral windows, sidelights, or speakeasies increase security for the Homeowner
- Energy-efficient windows with Low E glazing are encouraged

ARTICLE XII. FENCING

Fences may be constructed by the District, the Builder, or the Homeowner. These Residential Design Standards are not intended to dictate who performs the installation but rather establish the standards for the constructed improvements. Owners are responsible for obtaining any permits required by the City.

Section 12.1 INTERNAL LOT LINE FENCING

- Lot Line fencing shall be 3-rail fencing composed of #1 Grade Cedarwood and must be treated or stained to a natural cedar appearance
- The only exceptions to this are certain limited areas where screen/privacy fencing has been approved on the Final Development Plan (FDP) for Alley lots and certain lots abutting commercial areas of highways. The approved stain color is “Diamond Vogel – GS 212 Cedar”; however other brands with the same appearance are also acceptable. Stain is acceptable; paint is not.
- Wire mesh (“Pet Mesh”) is permitted on 3-rail fences. The mesh must be a 2” x 4” grid, 12 gauge galvanized welded wire
- Fence setbacks from public rights of way, sidewalks, corners of houses, etc. must adhere to the approved FDP for each filing
- The Internal Lot Line Fence will be used to delineate the boundary between two adjacent lots and be limited to an approved three-rail design with optional wire mesh for pet containment. The CDRC must approve exceptions, deletions, or additions
- Fencing should be consistent within each parcel and not exceed 48” in height

Section 12.2 INTERNAL PATIO SCREEN FENCING /WALLS

- Screen fencing is not permitted on lot lines
- Patio screen/enclosure/privacy fencing is allowed on single-family Lots and should be harmonious with the architectural style of the house
- At least 25% of the yard area must be left open and not included within the area that is being screened or enclosed
- The fencing must reflect the overall character of Candelas and will be used to define private, semi-private, semi-public, and public areas

Section 12.3 OPEN SPACE 3-RAIL FENCE

The perimeter fence is intended to delineate the boundary of residential and public open space tracts and will be installed and maintained by The District.

Section 12.4 PATIO SCREEN FENCE

A patio screen fence may be installed in limited locations as an added screening for patios, play areas, hot tubs, and similar uses in the rear of the property. The patio screen fence must be located within the building envelope and cannot encroach into the building setback. The patio screen fence may match privacy fence materials. The CDRC may consider other designs. At least 25% of the rear home elevation must remain open/unfenced. The height of the screen may not exceed 72”.

Section 12.5 PET RUNS

Pet/dog runs shall be constructed out of materials the same as or similar to Lot fencing and harmonious with the materials and colors of the home.

Approval from the CDRC is required **BEFORE** installation of a pet run.

Section 12.6 PRIVACY FENCE

Section 12.7 A privacy fence may be utilized to delineate the boundary between residential and non-residential uses where buffer widths are narrow or where additional noise attenuation is sought. Approval from the CDRC is required **BEFORE installation of a privacy fence.** VISUAL BARRIER/PRIVACY SCREENING

- Any plant material, including trees and shrubs, planted to create a visual barrier/privacy screen on all Residential Sites must be submitted to the CDRC. If more than two (2) trees are planted in a row, the following criteria are applied:
 - Trees must be spaced 5’ or more than their ultimate branch/limb width to assure at least 5’ of open space between trees
 - Trees are to be selected that maintain an open appearance or must be pruned to maintain an open appearance

Section 12.8 WOOD FENCE STAIN

All wood fence shall be stained with Diamond Vogel – GS 212 Cedar; however other brands with the same appearance are also acceptable. Only stain is acceptable, paint is not.

Section 12.9 FLAG POLES

Flag and flag pole installation shall be submitted to CDRC for review and must meet the Federal Flag Code of P.L. 94-344; 90 stat. 810; 4 U.S.C SECS 4- 10.

Section 12.10 HEIGHTS

The maximum building heights of all improvements shall be consistent with the County, City, or governmental agency. The Homeowner is responsible for obtaining any required permits if needed.

ARTICLE XIII. LIGHTING

The dark sky principle is a way of using lighting (or the lack of lighting) to eliminate pockets of dark and light. Contrasting pockets of dark and light cause users’ eyes to adjust more slowly as they pass in and out of these areas. The goal of dark sky lighting is to see the thing being lit (the house/porch) and not the light itself. The human eye automatically focuses on the brightest light source in range and adjusts accordingly. When you eliminate glare and create an environment with relatively even light levels, the human eye can see clearly in much less light than you would imagine. Light pollution mitigation plays a strong vital in the exterior lighting design and approvals for exterior lighting.

- Front porch and alley down-lighting is required
- Light source may **NOT** produce a glare on adjacent properties or streets
- Lighting installations should be designed and installed to be fully shielded (full cutoff)

- Lampposts, bollards, and path lights may be used if they do not produce inappropriate glare
- Uplighting is **NOT** allowed
- Lighting must be contained within property lot line boundaries
- Light fixture styles should complement the architecture and landscape style
- Owners can prevent unnecessary light usage through the use of photocells or time clocks
- Dark sky lighting principles are required
- Light pollution mitigation shall play a vital role in the exterior lighting design
- LED lighting levels shall not exceed the equivalent levels of luminosity as noted herein
- All lighting types and wattages must be identified on the landscaping plan and shall be in conformance with City code
- Exterior lighting must be of low illumination level per the chart below
- Flashing, chasing, or other moving lights are not permitted except in holiday lights from the weekend prior to Thanksgiving through January 31st, **ONLY**.

Properties Illumination Guidelines Maximum Values		
Light Fixture	Type	Light Requirements
Decorative Light Fixtures (luminaires)	Entry doors, Garage doors, Patios, or decks	Shall not exceed 850 lumens (one 100-watt incandescent lamp) or a 60-watt compact fluorescent lamp in a transparent or translucent fixture) per luminaire
All Other Light Fixtures (luminaires)		Shall not exceed 1,200 lamp lumens per luminaire

Section 13.1 LAMP POSTS

- Must submit an application to the CDRC for review and approval before installation
- Maximum height for a lamp post is 7' feet from grade
- May have up to three light heads
- Must complement the structure of the home

Section 13.2 LANDSCAPE LIGHTING:

- Landscape lighting fixtures shall complement the architecture. Fixture cut sheets from the manufacturer must be included with the submittal
- Landscape lighting shall not exceed 100 watts incandescent or 26 watts compact fluorescent. LED lighting levels shall not exceed the equivalent luminosity levels noted above. All lighting types and wattages must be identified on the landscaping plan and shall conform to the City of Arvada's code
- Landscape lighting shall have photocells or time clocks as part of lighting controls and must be identified as having such on the landscaping plan.

Section 13.3 HOLIDAY LIGHTING AND DECORATIONS

Placement and display of holiday lighting is permitted without CDRC approval from October 15th through the weekend before Thanksgiving and the weekend before Thanksgiving through January 31st, **ONLY**. Holiday lighting must be turned off by 11pm every night. During this period only, holiday lights may flash and chase, as long as such flashing and chasing does not present a nuisance to others. Permanently-installed holiday or security lighting may only be illuminated in compliance with the lighting and dark sky principles outlined below and requires CDRC approval before installation.

Holiday lighting and decorations are not permitted to be displayed year-round. If the CDRC has approved installation, permanently installed under eave lighting may be illuminated on the date of the following holidays, for that holiday only, to be turned off no later than 11pm: Juneteenth, Independence Day, Memorial Day.

Section 13.4 SOLAR LIGHTING

Exterior solar low illumination lighting is pre-approved and does not need CDRC approval as long as the dark sky principles are met. All other exterior lighting must have CDRC approval.

Section 13.5 PAINTING

The Residential Site home exterior may be repainted without CDRC approval so long as it is painted to replace the existing approved paint colors of the home identically. To ensure clarity and to avoid any ambiguity, no rock or brick, on a home exterior, may be painted any color.

Any change that deviates from the previously approved color or color scheme of the home must receive written approval from the CDRC. Photos of the house and each adjacent home (including across the street) are required, with the proposed color palette planned along with the application forms. Owners should submit paint samples from the paint manufacturer with the ARA to expedite the process.

Color Schemes must compliment the neighborhood and its surrounding areas. The District recommends using the Candelas-approved color pallet for guidance, but it is not required. The link is provided below:

<https://www.sherwin-williams.com/homeowners/color/find-and-explore-colors/hoa/arvada/co/candelas/>

Section 13.6 PATHS AND WALKS

Front walks should be a minimum of three feet wide and be constructed of materials that complement those on the building.

Stairways along front walks that exceed three risers shall have a handrail. Handrails are unnecessary on longer stairways as long as they are broken up into groups of 3 or fewer risers, with a minimum of 36" between the sets of stairs.

Section 13.7 PERGOLAS

- Pergolas, Cabanas, Gazebos, and attached Trellises shall:
 - Not exceed 12 feet in height
 - Not exceed two structures per principle use or exceed 200 square feet in cumulative gross floor area for all structures
 - Not be permitted in any required setback area on a Lot
 - Shall be compatible with the principal structure
 - Shall not be included in the Lot landscaping coverage requirement
 - Shall not be attached to a dwelling Residential Site as an accessory building
 - Shall not be used as a garage or storage for a vehicle
 - Shall match colors and architectural style to primary homes structure (does not necessarily need to match building materials)
 - Is adequately secured due to high winds
- A detailed drawing of the structure/accessory (and pictures or photo simulations) must be included with the submittal
- In addition to CDRC approval, a Building Permit from the City of Arvada may be required
- All materials and finishes must be specified on the plan
- Notes shall include whether the structure/accessory is free-standing or attached to the house. When attached, plan notes must describe the attachment method. When free-standing, plan notes shall describe methods of anchoring to the ground
- Pergola / Trellis --- the minimum size of overhead members shall be 2"x6" nominal, and they shall be spaced no greater than 16" o.c., columns shall be a minimum of 6"x6" nominal

ARTICLE XIV. RECREATIONAL EQUIPMENT

No playground equipment, trampolines or trampoline fences, basketball goals, hoops, backboards, nets, or similar sports equipment shall be installed on a Residential Site without the prior written approval of the CDRC.

Portable play equipment used at the front or side of the Lot must be stored out of view (from the street) when not in use.

Playsets/Trampolines shall be identified on the plan and pictures, and a photo simulation may also be requested with the submittal. The method of anchoring the playsets to the ground must be identified to ensure adequate protection from the area's strong winds.

Playhouses shall:

- Not exceed 12 feet in height
- Not exceed two structures per principle use or exceed 200 square feet in cumulative gross floor area for all structures
- Not be permitted in a required front setback area
- Shall not be included in the Lot landscape coverage requirement
- Shall not be attached to a dwelling Residential Site as an accessory building

Section 14.1 BASKETBALL EQUIPMENT

- Permanent Basketball Hoops are permitted in back, side, and front yards. Hoops shall be permanently installed on a pole that is dug into the ground and cemented in place to ensure adequate protection from the strong winds of the area
- Permanent basketball hoops may not exceed 12' feet in height
- Basketball hoops shall not be mounted on the home's structure
- Portable basketball hoops must be stored out of view when not in use
- Permanent basketball goals, hoops, or nets may be installed in the rear or side yard of a Residential Site without CDRC approval if they are at least five (5') feet from any property line (fence line)
- Portable Basketball hoops are not permitted in the public right-of-way, streets, sidewalks, parkways, or driveway aprons

Section 14.2 POOLS AND SPAS ABOVE GROUND

No above-ground swimming pools are allowed on a Residential Site, provided that a reasonably sized, child-appropriate, temporary "kiddy" pool shall be permitted on a Residential Site during those seasons in which such a pool may reasonably be used by children without CDRC approval.

The term "swimming pool" or "spa" means any outdoor or indoor structure intended for swimming or recreational bathing, including in-ground and above-ground structures. This includes hot tubs, spas, swim spas, portable spas, and non-portable wading pools.

Swimming pools, hot tubs, and spas shall be set back ten feet from property lines per Section 5.1.4.2 of the City of Arvada Ordinances.

Spas, hot tubs, and similar water features such as swimming pools may be permitted in rear yards (or side yards if they are wide enough) with CDRC approval if they are at least ten (10) feet from any property line, and are toned in color to compliment the exterior of the home. It is preferred to have landscaping for screening.

A swimming pool, spa, hot tub, or other similar water feature must not damage existing walls or fences. All equipment shall be thoroughly screened from view from publicly visible areas, and the Homeowner must undertake all reasonable efforts to minimize noise.

Privacy structures and fencing for pools and spas require CDRC approval for all Residential Sites. Privacy structures and fencing should complement the exterior style and color of the home and/or existing fencing.

Owners are responsible for ensuring appropriate discharge/removal of water when draining any pool, spa or hot tub. What may not be discharged onto District property or onto any other person's property without prior permission.

Stairways along front walks that exceed three risers shall have a handrail. Handrails are unnecessary on longer stairways as long as they are broken up into groups of three (3) or fewer risers, with a minimum of 36" between the stairs. The number of risers and handrails must be identified on the ARA.

ARTICLE XV. STORAGE SHEDS

Section 15.1 ACCESSORY STRUCTURES

- All accessory uses shall meet the Arvada LDC Requirements (see LDC 5.3) and comply with Candelas PCE's
- Accessory dwelling units are not allowed
- Storage Sheds shall not exceed 200 square feet (sq. ft.) and be constructed of sturdy materials that can withstand the higher winds typical of the Candelas area
- Storage sheds greater than 200 square feet (sq. ft.) are required to meet the required dimensional standards, i.e., setbacks, lot coverage for that zoning District
- Sheds used for storage shall not exceed 12 feet in height
- Storage Sheds shall be architecturally harmonious with the materials and colors of the home. Metal and/or plastic (or plastic-like) materials shall not be permitted. Methods for anchoring the storage shed to the ground shall be identified on the plan
- Sheds shall match colors and architectural style to primary home's structure (does not necessarily need to match building materials)
- Locating the shed adjacent to the home or under a deck is preferred. In conjunction with a plan, pictures or photo simulations must be included with the submittal
- Placement must be a minimum of three (3) feet away from any fence line

Section 15.2 CUSTOM STORAGE SHEDS/UTILITY BUILDINGS

Custom Storage sheds, utility buildings, gazebos, pergolas, arbors, trellis, playhouses, etcetera, must be submitted to the CDRC for approval and must adhere to the following:

- Be constructed as a permanent improvement on a concrete foundation
- Match the same color as the home or be complementary
- Plant material must be used to soften the look of the structure, be planted within 30 calendar days, and continuously maintained after that
- The Homeowner is responsible for obtaining any permits needed
- Placement must be a minimum of three (3) feet away from any fence line and should not be located in any easement

Section 15.3 PREFABRICATED STORAGE SHEDS/UTILITY BUILDINGS

Prefabricated storage sheds and/or utility buildings (i.e., Tuff Shed, Rubbermaid, et cetera type structures) over four (4) feet in height must be submitted to the CDRC for approval and adhere to the following:

- MISCELLANEOUS STRUCTURE PERMITS (FENCES, WALLS, PATIOS, SHEDS, DECKS) of the City of Arvada Municipal Code: "Before the erection of any fence, wall, shed, deck, or other miscellaneous structure allowed by this Code, a Miscellaneous Structure Permit shall be obtained according to this section," and must meet setback requirements
- Must be set on a concrete or gravel foundation
- Plant material must be used to soften the look of the structure, be planted within 30 calendar days, and continuously maintained after that
- All prefabricated storage sheds and utility buildings, regardless of whether they exceed four (4) feet in height, shall be in a

neutral color that coordinates with the home or community fencing

- The Homeowner is responsible for obtaining any permits needed
- Shed location in relation to setback lines and utility easements must be included in the application
- Side setback – 5 ft / 7.5 ft
- Rear Setback – 15 ft
- Lots wider than 80 ft shall have a minimum side setback of 7.5 ft, and lots narrower than 80 ft shall have a minimum side setback of 5 ft
- Lots larger than 120 ft shall have a minimum rear setback of 15 ft, and lots shorter than 120 ft shall have a minimum rear setback of 10 ft
- Placement must be a minimum of three (3) feet away from any fence line and inside setbacks only with CDRC approval. Each lot layout will be considered in determining appropriate placement.

ARTICLE XVI. VEHICLES

- Mopeds and motorbikes are subject to vehicle code restrictions and are limited to travel on public streets (i.e., both driver and motorbike must be licensed if required by state and local laws). Use on pathways, trails, and any Candelas property is prohibited
- Recreational Vehicles are not permitted to be used on sidewalks or community trails
- The Homeowner shall maintain the garage in a condition that will accommodate at least the number of vehicles for which it was designed
- Vehicles must be parked in the garage and/or in the driveway per the PCEs, Section 3.6
- Vehicles may be otherwise parked temporarily for loading, delivery, emergency, or for guests of the residence
- Garages may not be used as additional living space unless constructed for the use (Requires CDRC approval and appropriate permitting)
- No Homeowner shall conduct major repairs to any vehicle upon their Residential Site unless performed in a closed garage. Venting is permitted so long as the noise levels do not cause a nuisance to neighboring properties
- Please refer to Article 3, Section 3.6 in the PCEs for additional restriction information

Section 16.1 RECREATIONAL VEHICLES

Recreational Vehicles are defined as mobile homes, trailers (either with or without wheels), campers, camper trailers, boats, and other watercraft, golf carts, ATVs, 4Wheelers, Go-carts, boat trailers, etc.

Per the City of Arvada, extended parking of recreational vehicles on any street, highway, or roadway harms the citizens' and municipality's public health, safety, and general welfare. Regulation of such parking on streets, highways, or roads is a permissible regulation of the aesthetics of the Residential Site. The PCEs require owners to comply with all City ordinances and regulations.

No recreational vehicle shall be parked or stored on any street, highway, or roadway for more than 72 (seventy-two) hours within any seven (7) day period. This amount of time shall be cumulative and need not be consecutive, and shall apply to all streets, highways, or roadways within the City whether or not the vehicle is moved from one location to another during that seven (7) day period.

No such vehicle shall be used for living, sleeping, or housekeeping purposes while parked on the city's streets, highways, or roads.

ARTICLE XVII. MISCELLANEOUS ITEMS

Section 17.1 LEASE/RENTALS OF RESIDENTIAL UNITS WITHIN CANDELAS

All leases must comply with the PCEs and all other rules and governing documents. Leases for less than 30 consecutive days **REQUIRE** a City license to operate.

Additional information can be found: <https://arvada.org/business/business-licensing-resources/short-term-rental>.

Section 17.2 TENANT STANDARDS

1. The Homeowner has the responsibility to acquaint their tenants and guests with Candelas Governing Documents.
2. A tenant shall be defined as anyone possessing all or part of a home in exchange for consideration or compensation.
3. The Homeowner will, at all times, be responsible for their tenant's compliance with all the provisions of Candelas Governing Documents. Penalties and other actions to correct violations will be assessed against the Homeowner even though the violation was committed by the tenant(s).
4. The Homeowner is solely responsible for the payment of fines levied by the Metropolitan District.
5. Disturbances and disorderly conduct by tenant(s) can result in a fine or legal action against the Homeowner. Preserving the Residential Site and maintaining harmony among homeowners are the ultimate goals of the Metropolitan District. If the tenant(s) are violating these goals, the Homeowner is required to take the necessary measures to correct the situation. (property address has three strikes for facilities/violations this needs to be in the CE Policy – Once the bill passes then we have changes we have to make, so Lindsay can add it in then)

Section 17.3 COVENANT ENFORCEMENT

If an owner or their respective family, guests, licensees, lessees, tenants, invitees, agents, or employees is in violation, then in addition to any enforcement and remedies described in Article 6, Section 6.1 of the PCEs, the Metropolitan District may invoke any one or more of the following remedies:

1. Levy Fines upon such Owner for each violation.
2. Cause the violation to be cured and charge the cost thereof to such Owner
3. Obtain injunctive relief against the continuance of such violation.

Before invoking any such remedy, the Metropolitan District shall give such Owner prior written notice of the violation, including a specific description of the violation, and shall require the Owner to take such action as may be necessary to remedy the violation, including the time period in which the violation is to be remedied, which time period shall not exceed forty-five (45) days.

Section 17.4 COOPERATION WITH THE METROPOLITAN DISTRICTS

The Metropolitan Districts shall have the right and authority at any time, from time to time, to enter into agreements and otherwise cooperate with any Neighborhood Association, any other Residential Site associations, any other governmental or quasi-governmental entity, and/or any other Districts in furtherance of performing the services called for under the PCEs.

Section 17.5 DAMAGE OR DESTRUCTION

In the event any Residence or other Improvement constructed on a Residential Site is damaged, either in whole or in part, by fire or another casualty, such Residence or further Improvement shall be promptly rebuilt, repaired, or remodeled to comply with the PCE's and Residential Design Standards then in effect. In the alternative, if a damaged Residence or other improvement is not to be rebuilt, repaired, or remodeled, all remaining portions of the damaged Residence or improvement, including the foundation and all debris, shall be removed from the lot. The lot shall be restored to its natural condition before construction of the residence or other modifications within forty-five (45) days or as soon as feasible.

Section 17.6 DAMAGE BY OWNER

Notwithstanding anything to the contrary contained in these Residential Design Standards, in the event the need for the Metropolitan District to maintain, repair, or replace any portion of the Metropolitan District Property is caused by the negligence, willful act, or other misconduct of an owner, or a member of such owner's family or a guest, invitee or tenant of an owner, or any Person acting by, for or under any of the foregoing, the costs of such repair, replacement or maintenance shall be the personal obligation of such owner, and the costs, expenses, and fees incurred by the Metropolitan District for the same shall be levied against

such owner. The Metropolitan District shall have a lien against such Owner's Lot to secure reimbursement.

Section 17.7 DEVELOPMENT OF PROPERTY/ANNEXATION

It is contemplated that, at the appropriate time, the Cimarron and Vauxmont Metropolitan Districts will merge under the Vauxmont Metropolitan District. By operation of law, the properties, rights, and obligations of the Metropolitan Districts may be transferred to another surviving governmental entity or consolidated association similar in nature and purposes. The surviving governmental entity or consolidated association may administer the covenants and restrictions established upon any other basis as one scheme. No such merger or consolidation shall affect any revocation, change, or addition to the covenants established by the PCEs, Design Standards, or Residential Design Standards within the community except as expressed from now on.

Section 17.8 GENERAL MAINTENANCE

All Residential Site improvements in the community shall be maintained in accordance with the following:

a) Maintenance of improvements, lots, public facilities, and District property. No property within Candelas shall be permitted to fall into disrepair, and all property within Candelas, including all Improvements and landscaping, shall be kept and maintained in a clean, safe, and attractive condition, in good repair, as determined by the Metropolitan District and in accordance with all applicable laws. Maintenance, repair, and upkeep of the Candelas shall be allocated among the Owners as follows:

(i) the maintenance, repair, and upkeep of each lot shall be the responsibility of the lot owner; and

(ii) the maintenance, repair, and upkeep of all other property within Candelas shall be the responsibility of the Metropolitan District except as may otherwise be provided herein, in the PCEs, or in a Supplemental Declaration or other recorded instrument. At its option, the Metropolitan District may contract with third parties to perform its maintenance, repair, and upkeep obligations hereunder and levy fees. Nothing shall be done or kept on any property within the Candelas in violation of any applicable law. All maintenance, repair, and upkeep by lot owners shall be performed in a manner considered acceptable to the Metropolitan District and/or the CDRC and in a manner which complies with these Residential Design Standards and PCEs.

No improvements, alterations, repairs, changes of paint colors, excavations, changes in grade, or other work which in any way alters the exterior of any lot or improvements located thereon from its natural or improved state existing on the date such lot was first subject to these Residential Design Standards shall be made or done without compliance with the procedures set forth in ARTICLE 6 of the PCEs. Notwithstanding the foregoing, the maintenance, repair, and upkeep, in accordance with all applicable laws and city standards, of those tracts owned by the City shall be the responsibility of the City, except as may otherwise be provided herein or in a plat, a supplemental declaration, or other recorded instrument.

b) Fencing and maintenance of fencing by owners. No fence, including a wall for the containment of any pets permitted by the Residential Design Standards, may be constructed by an owner on a lot without the prior approval of the CDRC, as applicable. Any fences constructed on a lot (including, without limitation, any fences constructed by a Builder or Metropolitan District) must be repaired and maintained by the owner of that lot or by each of the owners of adjacent lots in the event such fence is located on a lot boundary line between the adjacent lots and shared by such lots, and such owners shall be responsible for maintaining the portion of the fence that faces the owner's lot. The cost of reasonable repair and maintenance of a fence shall be shared equally by the owners of the adjacent lots sharing the fence. If a shared fence is destroyed or damaged by fire or another casualty, any owner whose lot abuts the fence may restore it. The owner of the other lot(s) abutting the fence shall contribute equally to the cost of restoration thereof, subject, however, to the right of any such owners to call for a larger contribution from the other owners under any rule of law regarding liability for negligent or willful acts or omissions. Notwithstanding any other provision of these Residential Design Standards, an owner who by their or its negligence or willful acts causes a shared fence to be damaged shall bear the entire cost of repairing such damage. Within forty-five (45) days after the occurrence of the damage, the owner causing such damage shall commence to repair or reconstruct the damaged fence to its original condition and shall diligently complete all such repairs and

reconstruction. If such owner fails to do so, then the non-responsible owner of a lot abutting such fence may do so at the sole cost and expense of the owner causing such damage.

Section 17.9 MINING OR DRILLING

No Residential Site within the Candelas shall be used for the purpose of mining, quarrying, drilling, boring, or exploring for or removing oil, gas, or other hydrocarbons, minerals, rocks, stones, gravel, or earth.

Section 17.10 NEIGHBORHOOD ASSOCIATIONS

Neighborhood Associations may encompass a subset of the units within Candelas, in which the membership is comprised of owners of lots within all or part of an area covered by a Supplemental Declaration. Such Neighborhood Associations may have the right to impose assessments, own tracts, and/or perform all duties typically allocated to an association under the Colorado Common Interest Ownership Act, or otherwise, subject to the PCEs and provided any such assessments are subordinate to any assessments levied pursuant to Residential Design Standards.

Section 17.11 SUBDIVISION

No residential site shall be further subdivided or separated into smaller lots by any owner, and no portion consisting of less than all of any such lot, nor any easement or other interest therein, shall be conveyed or transferred by an owner, provided that this shall not prohibit deeds of correction, deeds to resolve boundary line disputes and similar non-material corrective instruments.

Section 17.12 SUPPLEMENTS TO PCES

Your home may be subject to additional rules, covenants, and restrictions imposed by a common interest community or HOA. Approval by Candelas does not mean that you automatically have approval from all entities with rules that apply to your property. In addition, the HOA may have more restrictive rules than the Candelas rules. When submitting an application, make sure that your proposed changes comply with all applicable rules.

Section 17.13 VIOLATION OF LAW

Violation of Law. Nothing shall be done or kept in or on any Residential Site or any portion of the Candelas which would be in violation of any Applicable Laws.

EXHIBIT A: CITY OF ARVADA PLANT LIST

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DECIDUOUS CANOPY TREES

Common Name	Latin Name	Mature Ht.	Xeric	Street Tree
Autumn Blaze Maple	<i>Acer x freemanii</i> 'autumn blaze'	40-50'		
Bigtooth Maple	<i>Acer grandidentatum</i>	20-30'		
Bur Oak	<i>Quercus macrocarpa</i>	50-80'	x	x
Chinkapin Oak	<i>Quercus muehlenbergii</i>	40-50'	x	
Deborah Norway Maple	<i>Acer platanoides</i> 'deborah'	40-50'		
English Oak	<i>Quercus robur</i>	40-60'	x	x
Frontier Elm	<i>Ulmus</i> x 'Frontier' (<i>U. carpinifolia</i> x <i>U. parvifolia</i>)	25'		
Goldenrain Tree	<i>Koelreuteria paniculata</i>	20-30'	x	
Greenspire Linden	<i>Tilia cordata</i> 'greenspire'	30-40'		x
Imperial Honeylocust	<i>Gleditsia triacanthos inermis</i> 'Imperial'	35'	x	x
Kentucky Coffeetree	<i>Gymnocladus dioica</i>	50-60'	x	
Northwood Maple	<i>Acer rubrum</i> 'northwood'	40-50'		
Peachleaf Willow	<i>Salix amygdaloides</i>	35-50'		
Pin Oak	<i>Quercus palustris</i>	50-60'	x	
Red Oak	<i>Quercus rubra</i>	40-60'	x	
Red Sunset Maple	<i>Acer rubrum</i> 'red sunset'	40-50'		
Redmond Linden	<i>Tilia americana</i> 'redmond'	40-50'		x
River Birch	<i>Betula nigra</i>	40-50'		
Scarlet Oak	<i>Quercus coccinea</i>	50-80'	x	
Shademaster Honeylocust	<i>Gleditsia triacanthos inermis</i> 'shademaster'	40-50'	x	x
Silver Maple	<i>Acer saccharinum</i>	100'		
Skyline Honeylocust	<i>Gleditsia triacanthos inermis</i> 'skyline'	40-50'	x	x
Sunburst Honeylocust	<i>Gleditsia triacanthos inermis</i> 'sunburst'	30-35'	x	x
Swamp White Oak	<i>Quercus bicolor</i>	40-60'	x	x
Wasatch Maple (Bigtooth)	<i>Acer grandidentatum</i>	25-30'		
Wavy Leaf / Scrub Oak	<i>Quercus undulata</i>	20-30'		
Western Catalpa	<i>Catalpa speciosa</i>	40-60'		
Western Hackberry	<i>Celtis occidentalis</i>	50-60'	x	
White Oak	<i>Quercus alba</i>	60-100'	x	
Yellowwood	<i>Cladastrus kentukea</i>	40'		

ORNAMENTAL TREES

Common Name	Latin Name	Mature Ht.	Xeric	Street Tree
Amur Chokecherry	<i>Prunus mackii</i>	30'	x	
Amur Maple	<i>Acer ginnala</i> 'flame'	15-20'		
Aristocrat Pear	<i>Pyrus calleryana</i> 'Aristocrat'	20-30'		x
Autumn Blaze Pear	<i>Pyrus calleryana</i> 'Autumn Blaze'	25-35'		

Autumn Brilliance Serviceberry	Amelanchier 'autumn brilliance'	20'		
Canada Red Cherry	Prunus virginiana 'canada Red'	20-30'		
Chanticleer Pear	Pyrus calleryana 'Chanticleer'	20-30'		x
Colorado Hawthorn	Crataegus succulenta	20-25'	x	

Crabapple	Malus species	varies		
Curl-leaf Mountain Mahogany	Cercocarpus ledifolius	10-25'	x	
Downy Hawthorn	Crataegus mollis	20-25'	x	
Edible Apple	Malus species & cultivars (esp. Gala, Honeycrisp, Honeygold)	varies		
Edible Apricot	Prunus armeniaca	varies		
Edible Cherry	Prunus avium & varieties (esp. Lapins, Stella)	varies		
Edible Peach	Prunus persica varieties	varies		
Edible Pear	Pyrus / 'Summercrisp, P. x 'Bartlett'	15'		
Edible Plum	Prunus species & cultivars (esp. Mt. Royal, Santa Rosa, Superior, Toka)	varies		
Japanese Pagoda Tree	Sophora japonica	40'	x	
Japanese Tree Lilac	Syringa reticulata	15-25'		
Korean Sun Pear	Pyrus fauriei 'Korean Sun'	10-12'		x
Mayday Tree	Prunus padus	20-30'		
Montmorency Cherry	Prunus cerasus 'montmorency'	15-20'		
New Mexico Locust	Robinia neomexicana	10'	x	
Newport Plum	Prunus cerasifera 'newport'	15-20'		
Ohio Buckeye	Aesculus glabra	35'		
Princess Kay Plum	Prunus nigra 'Princess Kay'	18'		
Rocky Mountain Maple	Acer glabrum	10-20'		
Russian Hawthorn	Crataegus ambigua	15-25'	x	
Saskatoon Serviceberry	Amelanchier alnifolia	6-12'		
Seven Son Flower	Heptacodium miconioides	15'		
Shadblow Serviceberry	Amelanchier canadensis	15-25'		
Tartarian Maple	Acer tataricum	15-25'	x	
Thornless Cockspur Hawthorn	Crataegus crus-galli inermis	15-25'	x	
Toba Hawthorn	Crataegus x mordenensis 'Toba'	15-20'	x	
Ussurian Pear	Pyrus ussuriensis	40-50'		x
Washington Hawthorn	Crataegus phaenopyrum	20-25'	x	
Western Mountain Ash	Sorbus scopulina	3-15'		
Winter King Hawthorn	Crataegus viridis 'Winter King'	15-20'	x	
Yellowhorn	Xanthoceras sorbifolium	20'		

EVERGREEN TREES

Common Name	Latin Name	Mature Ht.	Xeric	Street Tree
Austrian Pine	Pinus nigra	40-60'	x	
Austrian Pine varieties	Pinus nigra varieties	varies		
Bosnian Pine	Pinus leucodermis	15-25'		
Colorado Blue Spruce	Picea pungens 'Glauca'	40-80'		
Colorado Spruce	Picea pungens	40-80'		
Colorado Spruce varieties	Picea pungens varieties	varies		

One Seed Juniper	<i>Juniperus monosperma</i>	30-40'	x	
Pinon Pine	<i>Pinus edulis</i>	20-30'	x	
Ponderosa Pine	<i>Pinus ponderosa</i>	60-80'		
Rocky Mountain Juniper	<i>Juniperus scopulorum</i>	20-30'	x	
Scotch Pine	<i>Pinus sylvestris</i>	30-50'		
Singleleaf Pinion Pine	<i>Pinus monophylla</i>	8-15'	x	
Southwestern White Pine	<i>Pinus strobiformis</i>	60'		
Utah Juniper	<i>Juniperus osteosperma</i>	15-20'	x	
White Fir	<i>Abies concolor</i>	40-60'		

SHRUBS/ORNAMENTAL GRASSES

EVERGREEN SHRUBS

Common Name	Latin Name	Mature Ht.
Adam's Needle	<i>Yucca filamentosa</i>	2-3'
Banana Yucca	<i>Yucca baccata</i>	18-24"
Blue Globe Spruce	<i>Picea pungens</i> 'Glauca Globosa'	3-4'
Bog Birch	<i>Betula pumila</i>	5-8'
Common Juniper and varieties	<i>Juniperus communis</i> and varieties	1-3'
Creeping Colorado Holly	<i>Mahonia repens</i>	12-18"
Creeping Juniper and varieties	<i>Juniperus horizontalis</i> and varieties	4" - 18"
Curlleaf Mountain Mahogany	<i>Cercocarpus ledifolius</i>	10-20'
Dwarf Alberta Spruce	<i>Pinus glauca</i> 'Conica'	5-7'
Eastern Red Cedar varieties	<i>Juniperus virginiana</i> 'Blue Arrow'	15'-20'
Green Mound Juniper	<i>Juniperus procumbens</i> 'Green Mound'	6" - 12"
Manzanita	<i>Arctostaphylos x coloradensis</i> and varieties	varies
Mesa Verde Spruce	<i>Picea pungens</i> 'Mesa Verde'	1-2'
Mugo Pine	<i>Pinus mugo</i>	4-6'
Mugo Pine varieties	<i>Pinus mugo</i> varieties	varies
Red Yucca	<i>Hesperaloe parviflora</i>	3-4'
Rocky Mountain Juniper varieties	<i>Juniperus scopulorum</i> varieties	10'-20'
Savin Juniper and varieties	<i>Juniperus sabina</i> and varieties	12"-6'
Soapweed	<i>Yucca glauca</i>	2-4'

3' WIDTH DECIDUOUS SHRUBS

Common Name	Latin Name	Mature Ht.
Alpine Currant	<i>Ribes alpinum</i> & varieties	3-6'
Barberry	<i>Berberis thunbergii</i> varieties	1-2' / varies
Black Chokeberry	<i>Aronia melanocarpa</i>	4-6'
Blue Mist Spirea	<i>Caryopteris x clandonensis</i> 'Blue Mist'	3-4'
Blue Muffin Viburnum	<i>Viburnum dentatus</i> 'Christom' / 'Blue Muffin'	3-4'
Carol Mackie Daphne	<i>Daphne x burkwoodii</i> 'Carol Mackie'	3-5'
Clavey's Dwarf Honeysuckle	<i>Lonicera x xylosteoides</i> 'Clavey's Dwarf'	5-6'
Dwarf Leadplant	<i>Amorpha nana</i>	2'
Dwarf Minnesota Snowflake Mockoran	<i>Philadelphus x virginalis</i> 'Minnesota Dwarf Snowflake'	3-4'
Dwarf Rabbitbrush	<i>Chrysothamnus</i> var.	2'
Dwarf Russian Almond	<i>Prunus tenella</i>	2-5'
Dwarf Russian Sage	<i>Perovskia atriplicifolia</i> 'Little Spire'	2'
Fourwing Saltbush	<i>Atriplex canescens</i>	3-6'
Gooseberry	<i>Ribes uva-crispa</i> 'Pixwell' / <i>R. hirtellum</i> 'Pixwell'	3-4'
Japanese Spirea varieties	<i>Spirea japonica</i> varieties	varies

Kelsey Dogwood	Cornus stolonifera 'kelseyi'	2-3'
Leadplant	Amorpha canescens	4'
Little Leaf Mountain Mahogany	Cercocarpus intricatus	2-4'
Littleleaf Mockorange	Philadelphus microphyllus	4'
Lodense Privet	Ligustrum vulgare 'lodense'	2-3'
Lydia Woadwaxen	Genista 'Lydia'	2'
Miss Kim Dwarf Lilac	Syringa patula 'miss kim'	3-5'
Mormon Tea	Ephedra viridis	2-3'

Mountain Ninebark	Physocarpus monogynus	3'
Nana Burning Bush	Euonymus nanus	2'
Pygmy Peashrub	Caragana pygmaea / Caragana frutex 'Globosa'	3-4'
Rabbit Brush	Chrysothamnus nauseosus	3-4'
Red Lake Currant	Ribes rubrum / R. ativum 'Red Lake'	4'
Rose	Rosa cultivars and varieties	varies
Royal Gold Woadwaxen	Genista tinctoria 'Royal Gold'	2'
Shrubby Cinquefoil	Potentilla fruticosa varieties	2-3' /varies
Weigela varieties	Weigela florida varieties	varies

5' WIDTH DECIDUOUS SHRUBS

Common Name	Latin Name	Mature Ht.
Antelope Brush	Purshia tridentata	6'
Apache Plume	Fallugia paradoxa	3-6'
Barberry	Berberis thunbergii varieties	4-6' / varies
Beautybush	Kolkwitzia amabilis	6-8'
Boulder Raspberry	Rubus deliciosus	8'
Brilliant Red Chokeberry	Aronia arbutifolia 'brilliantissima'	6-8'
Butterfly Bush varieties & cultivars	Buddleja davidii; Buddleja alternifolia	varies
Cheyenne Mockorange	Philadelphus lewisii 'Cheyenne'	6-7'
Cheyenne Privet	Ligustrum vulgare 'cheyenne'	6-8'
Cliff fendlerbush	Fendlera rupicola	5-6'
Cliffrose	Cowania mexicana	3-12'
Columnar Buckthorn	Rhamnus frangula 'columnaris'	8-12'
Compact American Cranberrybush	Viburnum trilobum varieties	4-5'
Coral Beauty Cotoneaster	Cotoneaster dammeri 'coral beauty'	1-2'
Cranberry Cotoneaster	Cotoneaster apiculatus	18-24'
Creeping Western Sand Cherry	Prunus besseyi 'pawnee buttes'	15-18"
Curl Leaf Mountain Mahogany	Cercocarpus ledifolius	8-10'
Cutleaf Staghorn Sumac	Rhus typhina 'Laciniata'	
Dwarf Burning Bush	Euonymus alatus 'compacta'	6-8'
Elderberry	Sambucus nigra	6'
Fernbush	Chamaebatiaria millefolium	3-5'
Golden Currant	Ribes aureum	6'
Koreanspice Viburnum	Viburnum carlesii	6'
Miss Kim Lilac	Syringa patula 'Miss Kim'	3-5'
Mohican Viburnum	Viburnum lantana 'Mohican'	6'
Mountain Lilac	Ceanothus fendleri	3'
Mountain Mahogany	Cercocarpus montanus	8-10'
Mountain Snowberry	Symphoricarpos oreophilus	
Native Ninebark & varieties	Physocarpus opulifolius & varieties	varies
Red Coralberry	Symphoricarpos orbiculatus	
Red Flowering Quince	Chaenomeles japonica 'rubra'	4-6'
Redtwig Dogwood	Cornus alba sibirica	5-9'
Regent Serviceberry	Amalanchier alnifolia 'regent'	6-8'
Rock Spirea	Holodiscus dumosus	3-6'
Rocky Mountain Sumac	Rhus glabra cismontana	6'

Rose	Rosa cultivars and varieties	varies
Russian Sage	Perovskia atriplicifolia	4'
Snowberry	Symphoricarpos albus	4-6'
Spanish Bayonet	Yucca aloifolia	5-10'
Spanish Gold Broom	Cytisus purgans 'Spanish Gold'	2-4'
Squaw Currant / Wax Currant	Ribes cereum	
Three Leaf Sumac	Rhus trilobata	3-6'
Tiny Trumpet Honeysuckle	Lonicera syriacantha 'wolfii'	3-4'
Waxflower	Jamesia americana	4-5'

Weigela varieties	Weigela florida varieties	varies
Western Sand Cherry	Prunus besseyi	4-6'

7' WIDTH DECIDUOUS SHRUBS

Common Name	Latin Name	Mature Ht.
Alleghany Viburnum	Viburnum x rhytidophylloides 'Alleghany'	10'
American Cranberrybush	Viburnum trilobum	10'
American Plum	Prunus americana	10-20'
Arnold's Red Honeysuckle	Lonicera tartarica 'Arnold's Red'	6-8'
Arrowwood Viburnum	Viburnum dentatum	6-10'
Beaked Hazelnut	Corylus corn	3-15'
Buffaloberry	Shepherdia argentea	8-15'
Burkwood Viburnum	Viburnum burkwoodii	10-12'
Burning Bush	Euonymus alatus	8-12'
Cistena Plum	Prunus cistena	6-8'
Common & French Lilacs	Syringa vulgaris varieties	6-12' / varies
Dwarf Ginnala Maple	Acer ginnala 'compacta'	6-8'
Early Lilac	Syringa x hyacinthiflora cultivars	6-12' / varies
False Indigo	Amorpha fruticosa	6-15'
Fragrant Sumac	Rhus aromatica	6-12'
Gambel Oak	Quercus gambellii	4-20'
Golden Ninebark	Physocarpus opulifolius 'luteus'	6-8'
Gro-Lo Fragrant Sumac	Rhus aromatica 'grow low'	2-3'
Judd / Fragrant Viburnum	Viburnum x juddii	6-8'
Late Lilac	Syringa x prestoniae cultivars	6-12' / varies
Nanking Cherry	Prunus tomentosa	6-12'
Nannyberry Viburnum	Viburnum lentago	8-15'
Native Chokecherry	Prunus virginiana	8-20'
New Mexican Privet	Forestiera neomexicana	8-12'
Northern Sun Forsythia	Forsythia x 'Northern Sun'	6-8'
Red & Yellow Twig Dogwood	Cornus sericea	8'
Rose	Rosa cultivars and varieties	varies
Royal Purple Smoke Tree	Cotinus coggygia 'royal purple'	6-8'
Saskatoon Serviceberry	Amelanchier alnifolia	10'
Siberian Peashrub	Caragana arborescens	8-10'
Silverberry	Elaeagnus commutata	6-12'
Silver Buffaloberry	Shepherdia argentea	6-20'
Smooth Sumac	Rhus glabra	10'
Staghorn Sumac	Rhus typhina	10'
Swamp Rose	Rosa Palustris	8'
Tall Western Sage	Artemisia tridentata	8'
Thinleaf Alder	Alnus incana moench	varies
Tue Mountain Mahogany	Cercocarpus montanus	3-8'
Utah Serviceberry	Amelanchier utahensis	6-12'
Wayfaring Tree	Viburnum lantana	10-12'
Woods Rose	Rosa woodsii	8'

ORNAMENTAL GRASSES

(those with an asterick may be counted toward required shrub counts)

Common Name	Latin Name	Mature Ht.
Big Bluestem Grass*	Andropogon gerardii	4-6'
Blue Avena Grass*	Helictotrichon sempervirens	4'
Blue Gramma Grass	Bouteloua gracilis	1-2'
Dwarf Fountain Grass	Pennisetum alopecuroides 'hamelin'	1-2'
Indian Grass*	Sorghastrum nutans 'sioux blue'	5-7'
Japanese Blood Grass	Imperata cylindrica 'red baron'	1-2'
Karl Forester Feather Reed Grass*	Calamagrostis arundinacea 'karl forester'	4-5'
Little Bluestem Grass*	Schizachyrium scoparium	3-5'
Little Bunny Grass	Pennisetum alopecuroides 'little bunny'	10-12"
Maiden Hair Grass*	Miscanthus sinensis 'gracillimus'	5-6'
Northern Indian Rice Grass	Oryzopsis hymenoides 'nezpar'	18"
Plume Grass*	Saccharum ravannae	8-12'
Ribbon Grass	Phalaris arundinacea 'picta'	2-3'
Ruby Grass	Rhynchelytrum nerviglume	2'
Sea Urchin Blue Fescue	Festuca ovina glauca 'sea urchin'	8"
Switchgrass*	Panicum virgatum 'heavy metal'	3-4'
Variegated Moor Grass	Molina caerulea variegata	1-2'
Yaku Jima Maiden Grass*	Miscanthus sinensis 'yaku jima'	3-4'

PERENNIALS/GROUND COVERS

PERENNIALS

Common Name	Latin Name	Mature Ht.
Basket-of-Gold	Aurina saxatilis 'gold ball'	8-12"
Bleeding Heart	Dicentra spectabilis	24-36"
Blue Flax	Linum perenne	12-24"
Blue Harebell	Campanula rotundiflora 'olympica'	6-18"
Blue Mint Bush	Zizpohora clinopodioided	18"
Bowles Periwinkle	Vinca minor 'bowles variety'	4-6"
Butterfly Iris	Iris spuria	36-40"
Butterfly Weed	Asclepias tuberosa	18"
Cardinal Flower	Lobelia cardinalis	36-48"
Coral Bells	Heuchera sp.	12"
Cut-Leaf Daisy	Erigeron compositus	4-6"
Daylily	Hemerocallis sp.	36"
Dazzler Blanket Flower	Gaillardia 'dazzler'	24-36"
Deep Blue Lavender	Lavandula angustifolia 'hidcote'	8-12"
Double Bubblemint	Agastache cana	24-36"
Dwarf Fleeceflower	Fallopia japonica compacta	12-18"
Dwarf Globularia	Globularia hederacea	2-6"
Dwarf Goldenrod	Solidago sphacelata	15"
Dwarf Lavender Fall Aster	Aster novi-belgii 'audrey'	18-24"
False Spirea	Astilbe sp.	10-36"
Gayfeather	Liatris sp.	18-48"
Globe Thistle	Echinops ritro	24-36"
Gloriosa Daisy	Rudbeckia hirta 'indian summer'	36-40"
Goldenrod	Solidago rugosa	36"

Hedgenettle, Lamb's Ears	Stachys coccinea	18"
Hummingbird Flower	Zauschneria californica latifolia	18-24"
Ironweed	Veronia noveborascens	72"
Joe Pye Weed	Eupatorium sp.	60-72"
Lambert's Locoweed	Oxytropis lambertii	8-12"
Lavender Cotton	Santolina ericoides	8"
Loddon Anna Bellflower	Campanula lactiflora 'loddon anna'	42-48"
Maiden Pinks	Dianthus deltoides	6-8"
Marshall's Delight Bee Balm	Monarda 'marshall's delight'	24-36"
Mexican Catchfly	Silene lancinata	15"
Moonbeam Coreopsis	Coreopsis verticillata 'moonbeam'	24-36"
Native Blanket Flower	Gaillardia aristata	18-24"

Native Verbena	Verbena bipinnatifida	3-6"
Oxalis	Oxalis crassipes	10"
Pacific Giant Delphinium	Delphinium ssp.	48-60"
Penstemon	Penstemon sp.	var.
Pincushion Flower	Scabiosa sp.	varies
Poppy	Papaver sp.	24-36"
Poppy Mallow	Callirhoe involucrata	4-12"
Prairie Coneflower	Ratibida columnifera 'mexican hat'	15-24"
Prince's Plume	Stanleya pinnata	36-60"
Purple Coneflower	Echinacea purpurea	36"
Purple Prairie Clover	Petalostemon purpurea	18"
Red Fox Speedwell	Veronica spicata 'red fox'	12-18"
Red Monkeyflower	Mumulus cardinalis	48"
Redbirds	Scrophulora macrantha	36-48"
Rocky Mountain Columbine	Aquilegia caerulea	18-24"
Russian Sage	Perovskia atriplicifolia	24-48"
Salvia	Salvia sp.	varies
Sedum	Sedum telephinum	6-18"
Shasta Daisy	Leucanthemum x superbum 'alaska'	24-30"
Snowbank Boltonia	Boltonia asteroides 'snowbank'	36-48"
Spiderwort	Tradescantia occidentalis	12-18"
Sulfur Buckwheat	Eriogonum umbellatum	18-24"
Sunrose	Helianthemum	8-12"
Sunset Hyssop	Agastache rupestris	24-36"
Tall Gold Yarrow	Achillea filipendula	36-48"
Wherry's Foam Flower	Tiarella wherryi	3-8"
Whirling Butterflies	Gaura lindheimeri	36-42"
White Valerian	Centranthus ruber 'albus'	24-36"
Woolly Cotton	Santolina chamaecyparissus	14"
Yellow Flax	Linum flavum compactum	10-18"

GROUND COVER

Common Name	Latin Name	Mature Ht.
Bunchberry Dogwood	Cornus canadensis	3-8"
Candytuft	Iberis sempervirens	8-12"
Carpet Bugle	Ajuga reptans	4-6"
Creeping Quincefoil	Potentilla neumanniana	3"
Creeping Grape Holly	Mahonia repens	3-4'
Doone Valley Lemon Thyme	Thymus citriodorus 'doone valley'	3"
Emerald Pink Phlox	Phlox subulata 'emerald pink'	4-6"
False Rockcress	Aubrieta	4-6"
Kinnikinnick	Arctostaphylos	6-12"
Maiden Pink	Dianthus deltoides	6-8"

Mat Penstemon	Penstemon caespitosus	.25'
Moneywort	Lysimachia nummularia	2-4"
Mouse Ear Chickweed	Cerastium fontanum	6-18"
Northern Bedstraw	Galium boreale	1-3'
Pink Chintz Creeping Thyme	Thymus 'pink chintz'	1"
Prostrate Veronica	Veronica prostrata	4-8"
Pussytoes	Antennaria neglecta	1-4"
Reiter Creeping Thyme	Thymus 'reiter'	3"
Rockcress	Arabis	4-6"
Rosy Pussytoes	Antennaria rosea	1'
Running Mat Phlox	Phlox stolonifera 'sherwood purple'	4-6"
Small-Leaf Pussytoes	Antennaria parvifolia	3-6"
Snow in Summer	Cerastium tomentosum	6-12"

Stonecrop	Sedum	1-2'
Sulfur Flower	Eriogonum umbellatum	8-12"
Tufted Pansy	Viola cornuta	6"
Turkish Veronica	Veronica liwanensis	1-2"
White Nancy Nettle	Lamium maculatum 'white nancy'	6-12"
Wild Strawberry	Fragaria americana	2-6"
Woolly Veronica	Veronica pectinata	1-2"

EXHIBIT B: COLORADO NOXIOUS WEED LIST

Common	Scientific
Absinth wormwood	(<i>Artemisia absinthium</i>)
African rue	(<i>Peganum harmala</i>)
Baby's breath	(<i>Gypsophila paniculata</i>)
Black henbane	(<i>Hyoscyamus niger</i>)
Bohemian knotweed	(<i>Fallopia x bohemicum</i>)
Bouncingbet	(<i>Saponaria officinalis</i>)
Bulbous bluegrass	(<i>Poa bulbosa</i>)
Bull thistle	(<i>Cirsium vulgare</i>)
Camelthorn	(<i>Alhagi maurorum</i>)
Canada thistle	(<i>Cirsium arvense</i>)
Caucasian bluestem	(<i>Bothriochloa bladhii</i>)
Chicory	(<i>Cichorium intybus</i>)
Chinese clematis	(<i>Clematis orientalis</i>)
Common bugloss	(<i>Anchusa officinalis</i>)
Common burdock	(<i>Arctium minus</i>)
Common crupina	(<i>Crupina vulgaris</i>)
Common mullein	(<i>Verbascum thapsus</i>)
Common reed	(<i>Phragmites australis</i>)
Common St. Johnswort	(<i>Hypericum perforatum</i>)
Common tansy	(<i>Tanacetum vulgare</i>)
Common teasel	(<i>Dipsacus fullonum</i>)
Cutleaf teasel	(<i>Dipsacus laciniatus</i>)
Cypress spurge	(<i>Euphorbia cyparissias</i>)
Dalmatian toadflax, broad-leaved	(<i>Linaria dalmatica</i>)
Dalmatian toadflax, narrow-leaved	(<i>Linaria genistifolia</i>)
Dame's rocket	(<i>Hesperis matronalis</i>)
Diffuse knapweed	(<i>Centaurea diffusa</i>)
Downy brome, cheatgrass	(<i>Bromus tectorum</i>)
Dyer's woad	(<i>Isatis tinctoria</i>)
Elongated mustard	(<i>Brassica elongata</i>)
Eurasian watermilfoil	(<i>Myriophyllum spicatum</i>)
Field bindweed	(<i>Convolvulus arvensis</i>)
Flowering rush	(<i>Butomus umbellatus</i>)
Garden loosestrife	(<i>Lysimachia vulgaris</i>)
Garlic mustard	(<i>Alliaria petiolata</i>)
Giant knotweed	(<i>Fallopia sachalinensis</i>)*
Giant reed	(<i>Arundo donax</i>)
Giant salvinia	(<i>Salvinia molesta</i>)
Hairy willow-herb	(<i>Epilobium hirsutum</i>)
Halogeton	(<i>Halogeton glomeratus</i>)
Himalayan blackberry	(<i>Rubus armeniacus</i>)
Hoary alyssum	(<i>Berteroa incana</i> L.)
Hoary cress	(<i>Lepidium draba</i>)
Houndstongue	(<i>Cynoglossum officinale</i>)
Hydrilla	(<i>Hydrilla verticillata</i>)
Japanese knotweed	(<i>Fallopia japonica</i>)
Johnsongrass	(<i>Sorghum halepense</i>)
Jointed goatgrass	(<i>Aegilops cylindrica</i>)

Leafy spurge	(Euphorbia esula)
Mayweed chamomile	(Anthemis cotula)
Meadow hawkweed	(Hieracium caespitosum)
Meadow knapweed	(Centaurea x moncktonii)
Mediterranean sage	(Salvia aethiopis)
Medusahead	(Taeniatherum caput-medusae)
Moth mullein	(Verbascum blattaria)
Musk thistle	(Carduus nutans)
Myrtle spurge	(Euphorbia myrsinites)
Onionweed	(Asphodelus fistulosus)
Orange hawkweed	(Hieracium aurantiacum)
Oxeye daisy	(Leucanthemum vulgare)
Parrotfeather	(Myriophyllum aquaticum)
Perennial pepperweed	(Lepidium latifolium)
Perennial sowthistle	(Sonchus arvensis)
Plumeless thistle	(Carduus acanthoides)
Poison hemlock	(Conium maculatum)
Puncturevine	(Tribulus terrestris)
Purple loosestrife	(Lythrum salicaria)
Quackgrass	(Elymus repens)
Redstem filaree	(Erodium cicutarium)
Rush skeletonweed	(Chondrilla juncea)
Russian knapweed	(Rhaponticum repens)
Russian-olive	(Elaeagnus angustifolia)
Salt cedar	(T. chinensis & Tamarix. ramosissima)
Scentless chamomile	(Tripleurospermum inodorum)
Scotch broom	(Cytisus scoparius)
Scotch thistle	(O. tauricum)
Scotch thistle	(Onopordum acanthium)
Siberian elm	(Ulmus pumila)
Spotted knapweed	(Centaurea stoebe ssp. micranthos)
Spotted x diffuse knapweed hybrid	(Centaurea x psammogena)
Squarrose knapweed	(Centaurea virgata)
Sulfur cinquefoil	(Potentilla recta)
Swainsonpea	(Sphaerophysa salsula)
Syrian beancaper	(Zygophyllum fabago)
Tansy ragwort	(Senecio jacobaea)
Tree of Heaven	(Ailanthus altissima)
Velvetleaf	(Abutilon theophrasti)
Ventenata grass	(Ventenata dubia)
White bryony	(Bryonia alba)
Wild caraway	(Carum carvi)
Wild proso millet	(Panicum miliaceum)
Yellow bluestem	(Bothriochloa ischaemum)
Yellow flag iris	(Iris pseudacorus)
Yellow nutsedge	(Cyperus esculentus)
Yellow starthistle	(Centaurea solstitialis)
Yellow toadflax	(Linaria vulgaris)
Yellow x Dalmatian toadflax hybrid	(Linaria vulgaris x L. dalmatica)

"RECORDS" means the official real property records maintained in the office of the Clerk and Recorder of Jefferson County, Colorado; "to Record" means to file for recording in the Records; "of Record" and "Recorded" means having been recorded in the Records, and "Recording" means the act of recording a document or instrument in the Records.

"RESIDENCE" means a single-family residential dwelling constructed within the Candelas, specifically including, but not limited to, a detached home, an attached home, or an apartment or a condominium unit or other separate living unit within a multi-family home.

"RESIDENT" means each person occupying a site and includes, but is not necessarily limited to, each owner, tenant, or other occupant of a site.

"RESIDENTIAL SITE" means any lot zoned and used for single-family or multi-family residential purposes.

"RESIDENTIAL USE" means a use for dwelling purposes.

"RESTRICTIONS" means (a) the PCEs as amended from time to time, and (b) the "Residential Design Standards" from time to time in effect.

"RESIDENTIAL DESIGN STANDARDS" means any instruments, however denominated, which are adopted by the Metropolitan Districts for the regulation and management of the Candelas, including all amendments to those instruments. The term "Residential Design Standards" specifically includes the standards.

"SINGLE-FAMILY ATTACHED" ("SFA") means a housing unit connected to another housing unit, generally with a shared wall, that provides living space for one household or family. Attached houses are considered single-family houses as long as they are not divided into more than one housing unit and they have an independent outside entrance. A single-family house is contained within walls extending from the basement (or the ground floor if there is no basement) to the roof. Townhouses, rowhouses, and duplexes are considered single-family attached housing units, as long as there is no household living above another one within the walls extending from the basement to the roof to separate the units. This includes modular homes but does not include manufactured homes.

"SINGLE-FAMILY DETACHED" ("SFD") means that the building does not share wall with other houses.

"SHORT-TERM RENTAL" is Defined by the City of Arvada as "A short term rental is defined in the City's Land Development Code as a dwelling, portion of a dwelling or accessory dwelling unit (ADU) rented to transient guests for a period of less than 30 consecutive days."

"SUPPLEMENTAL DECLARATION" means a written instrument containing covenants, conditions, restrictions, reservations, easements or equitable servitudes, or any combination thereof, which may be Recorded against real property described therein and which subjects such described real property to the terms, conditions, and restrictions of the PCEs.

"TRADITIONAL NEIGHBORHOOD DESIGN" ("TND") also known as a village-style development, includes a variety of housing types, a mixture of land uses, an active center, a walkable design and often a transit option within a compact neighborhood scale area. TNDs can be developed either as infill in an existing developed area or as a new large-scale project.

"TRACT" means any portion of the Candelas owned by the City, the Metropolitan Districts, or a Neighborhood Association.

"TURF" means a covering of mowed vegetation, usually Turf Grass, growing intimately with an upper soil stratum of intermingled roots and stems.

"TURF GRASS" means continuous plant coverage consisting of nonnative grasses or grasses that have not been hybridized for arid conditions which, when regularly mowed, form a dense growth of leaf blades and roots.

"UPLIGHTING" means a light placed or designed to throw illumination upward.

"UTILITIES" means all utility services necessary or convenient for the use and enjoyment of the lots (including, but not necessarily limited to, electric, gas, water, sewer service and Telecommunication Facilities).

"VIOLATION" means (a) an Improvement that has been performed without obtaining the CDRC's approval, (b) an Improvement that was not performed in substantial compliance with the approval that was granted by the District or the CDRC (including, without limitation, any time periods for completion), or (c) any other violation of the restrictions by an owner.

ARCHITECTURAL REVIEW APPLICATION

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Variance Request

Applications can be emailed to: dtorres@timberlinedc.com
or dropped off at the front office at:
Parkview Swim & Fitness Club
19865 W 94th Ave
Arvada, CO 80007

There is a fee of \$150.00 for your first submission and a fee of \$75.00 for each submission after that.

Please make checks payable to Vauxmont Metropolitan District. Payments can be dropped off at the Parkview Swim & Fitness Center during service center hours or mailed to 9371 McIntyre St, Arvada, CO 80007 (Monday – Friday between 10:00am and 5:00pm).

**** The application will not be processed until payment and required documentation has been received. ****

Homeowner: James Collins Email: paulcama@gmail.com

Address: 9424 Noble Way Phone: 720-236-7283

Builder/Contractor Name/Title: _____

Approval Requested for the Following:

- (Mulch?) Landscaping
- Deck/Patio
- _____ Driveway/Sidewalk
- Other **Front Lights**
- _____ Fence/Gates
- Paint
- _____ Play Set/Play Structure
- _____ Privacy Screen
- _____ Satellite Dish
- _____ Shade Structure
- _____ Storage Shed

- Be sure to include a plot and access plan with the submittal and provide description of proposed improvements below.
- Landscaping must be completed within 180 days of closing.
- Please include the total square footage of the yard and the percentage of the square footage where turf will be planted and the type, size, and color of rock that will be used per the Candelas Guidelines.

RESIDENTS ARE RESPONSIBLE FOR ANY DAMAGE CAUSED BY ALL HIRED LANDSCAPERS AND CREW

"As the owner of the property located at 9424 Noble Way, I hereby acknowledge that all improvements (both landscape and hardscape) shown within the utility easements are placed at my sole risk and liability. I accept that at any time in the future, those with rights to the utility easements may enter the affected property and require that all improvements be removed and/or located at my sole expense. In the event hardscape improvements have been approved within easements by the CDRD, the City of Arvada, in conjunction with the permitting process, may require letters from the applicable utility providers indicating that they have no objection to the placement of the improvements, prior to the issuance of building permits. I hereby acknowledge that all improvements shown shall be installed and maintained as depicted hereon. Modifications to these improvements in the future will not be made until CDRC approval is sought and either waived or granted."

JC (Homeowner's Initials) District property will not be used for property improvements. Homeowners will be billed for damages caused by them or their contactors.

JC (Homeowner's Initials) Homeowners assume responsibility for all contractors that are hired to perform work within their lot lines. This includes damages made by Contractors to the District Native Tracts and Common Areas when providing services to your lot. The District will repair any damages and the Homeowner will be responsible for reimbursement to the District.

Owner Signature: Date: 4/18/2023

Candelas Use Only

ACTION: _____ Approved as submitted Approved with conditions ~~Denied as follows~~
Conditions for approval include the following: Approved colors: Body - Westhighland white OR alabaster
Trim: Caviar *Approved colors must be used as indicated on the application
Reasons for denial include the following: _____

REQUIRED COMPLETION

Reviewed By: Desirae Torres Date Uploaded to GeoLens: _____
Title: Community Manager Date: 7/17/2023 Account No.: _____
Notes: The homeowner must notify the CDRC once the authorized improvement(s) have been completed. Updates can be sent to dtorres@timberlinedc.com.

We submitted our first color choices/schemes on April 18, 2023 with our initial HOA application submission. At that time, our proposed submission was a white house with black embellishments with the stone façade unpainted.

Our initial color scheme submission was rejected on June 2, 2023. That submission included an addendum that stated that we didn't want to paint the stones on our house exterior. The email we received stated that "The homeowners may select a new color scheme and resubmit for approval at no additional cost."

On June 22, 2023 we emailed a completely new color scheme/concept. This image reflected an entirely new paint concept that was almost exact to other homes just a few minute walk from our house. We paid a graphic artist to create a "mock up" rendering of an entirely new paint scheme/concept, which showed the stones painted white. This image was an attached addendum and gave a visual picture of what our house would look like with the new color concept.

The addendum to our new paint submission showcased our new house paint concept with less black and ALL OF OUR STONES PAINTED white. The attached photo to the email articulated what our home would look like once the paint process was completed. When we received final paint approval we had no interest in going back to our original paint concept submitted back in April. We truly though we were just waiting to find out what shade of white the board would allow. We never communicated, attached or resubmitted our very first picture idea again after 6/2/2023. When we painted our house we were under the impression the board approved our new concept. As you can see we painted it exactly like our emailed attached addendum submitted on June 22, 2023. Once again please see the attached picture we submitted and thought we had approval to proceed with. During the painting process, our painters broke our front home lights, so our designer chose new lights to match our new color concept. When we first moved into our house back in 2018, several of our exterior lights did not work and we were told by the previous district representative, Tracy McDonald that no approval was necessary to replace the front house lights back then. That's why we didn't submit a new application for the lights.

We also added new mulch to our front planters, moved our rocks around, trimmed our exterior existing plants and added some fake UV resistant plants to our already planted shrubs for better curb appeal during the winter. We were not aware that an additional submission was necessary for adding mulch to winterize our front planters. Thank you.



Photoshop design concept submitted as an addendum on June 22, 2023



Actual house after painting was completed.



Resident submitted photos



9424 Noble Way

Desirae Torres <dtorres@timberlinedc.com>

Thu, Apr 13, 2023 at 5:57 PM

To: Tyler Collins <ty_collins@yahoo.com>

Hello,

Thank you for providing this information. I have updated the history on my end, as it appears the previous management never updated this information in your account. Please keep in mind that ALL exterior changes do require CDRC approval prior to conducting work. It appears that you are redoing your roofing and have not received approval prior to beginning work. I have attached a copy of the design standards and application to this email. Please read and follow the instructions provided on the application. If an application is not submitted, we will have to move forward with the violation process, and you will begin to incur fines, which can potentially lead to a lien on your home if not resolved. Do you have a preferred email address that we can put on file? We have been mailing notices for some time now with no response. If you have any questions, please let me know.

Thank you,

Desirae Torres

Community Manager

Timberline District Consulting, LLC

(303) 638- 2096

dtorres@timberlinedc.com

<https://www.candelascommunity.com>



[Quoted text hidden]

2 attachments

 **Candelas Residential Design Standards.pdf**
728K

 **ARA Form.pdf**
1168K

ARCHITECTURAL REVIEW APPLICATION



Approved application that was sent to the homeowner

Applications can be emailed to: dtorres@timberlinedc.com
or dropped off at the front office at:
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Arvada, CO 80007

There is a fee of \$150.00 for your first submission and a fee of \$75.00 for each submission after that.

Please make checks payable to Vauxmont Metropolitan District. Payments can be dropped off at the Parkview Swim & Fitness Center during service center hours or mailed to 9371 McIntyre St, Arvada, CO 80007 (Monday – Friday between 10:00am and 5:00pm).

**** The application will not be processed until payment and required documentation has been received. ****

Homeowner: James Collins Email: paulcama@gmail.com

Address: 9424 Noble Way Phone: 720-236-7283

Builder/Contractor Name/Title: Zmac Construction - Beau (owner) Phone: 720-355-3780

Approval Requested for the Following:

- Landscaping
- Deck/Patio
- Driveway/Sidewalk
- Other
- Fence/Gates
- Paint
- Play Set/Play Structure
- Privacy Screen
- Satellite Dish
- Shade Structure
- Storage Shed

- Be sure to include a plot and access plan with the submittal and provide description of proposed improvements below.
- Landscaping must be completed within 180 days of closing.
- Please include the total square footage of the yard and the percentage of the square footage where turf will be planted and the type, size, and color of rock that will be used per the Candelas Guidelines.

RESIDENTS ARE RESPONSIBLE FOR ANY DAMAGE CAUSED BY ALL HIRED LANDSCAPERS AND CREW

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Owner Signature:  Date: 4/18/2023

Candelas Use Only

ACTION: Approved as submitted Approved with conditions Denied as follows

Conditions for approval include the following: Approved colors: Body - Westhighland white OR alabaster
Trim: Caviar *Approved colors must be used as indicated on the application

Reasons for denial include the following:

REQUIRED COMPLETION

Reviewed By: Desirae Torres

Date Uploaded to GeoLens: _____


Title: Community Manager Date: 7/17/2023

Account No.: _____

Notes: The homeowner must notify the CDRC once the authorized improvement(s) have been completed. Updates can be sent to dtorres@timberlinedc.com.

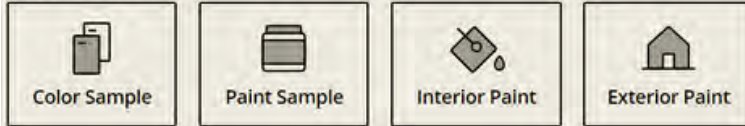
SW 7008

Alabaster

FULL DETAILS 

When you want the brightness of a white without sacrificing a warm coziness, try this soft, warm but balanced white. And turn up the peaceful.


Get this color in a:



Body color choices

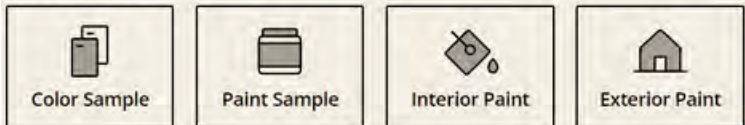
SW 7566

Westhighland White

FULL DETAILS 


This bright, clear white has a hint of creaminess that coordinates well with just about any color. Great for trim and cabinetry.

Get this color in a:



SW 6990

Caviar

FULL DETAILS 

This dark rich black introduces a refined air to a well-lit room. Make a bold choice with this cool neutral on an accent wall or in a study.

Get this color in a:



Trim

Our house - only the stucco and garage doors will be painted, not the stone.



9492 Joyce Way Fence

7 messages

Casey Cazier <caseyroof@gmail.com>

Thu, Feb 1, 2024 at 5:15 PM

To: Desirae Torres <dtorres@timberlinedc.com>, Lacey Cazier <caseylacey18@gmail.com>

Desirae and BOARD,

Please find the proposal attached for fence improvements. It is in the exact guidelines set forth with the same style as existing. It simply adds approximately 18" in height. It is not a screen. It is not a privacy fence.

The ambiguous interpretation of the guidelines is a disservice to us as homeowners AND I am certain that none of our neighbors have any issue with us having a fence that looks good and is 18" taller at the rear of the property.

PLEASE send us the information and supporting documents if any person has complained.

I have submitted information that you have ignored or chosen to interpret in a manner that benefits you, not us as homeowners and does not benefit our direct neighbors. There are several sections of fence that are "community" maintained based on your feedback that is in disrepair. BUT you choose to single us out as opposed to focusing on getting repairs to the community addressed.

WHY are you not fixing the multitude of maintenance items in the community and instead spending your time on my fence that literally only 2 neighbors see?

I explained that we have dogs that can jump a low fence and as you emailed 11/22 your suggestion was to electrocute our dogs as opposed to working together on a reasonable solution. ALSO the community guidelines state:

• The Internal Lot Line Fence will be used to delineate the boundary between two adjacent lots and be limited to an approved three-rail design with optional wire mesh for pet containment. The CDRC must approve exceptions, deletions, or

Our back yard is not 2 adjacent lots. So this is not valid.

There are homes in Townview that have taller privacy fence...IN TOWNVIEW.

On 12/1 you emailed us; Privacy fencing is permitted in areas of the community that back up to roadways, such as Candelas Parkway and commercial areas.

So with that approach, we should be allowed 6' privacy fence. We back up to commercial space. So again your ambiguous enforcement of the guidelines lacks continuity with the neighborhood.

I am not even proposing 6' privacy fence, I am proposing a fence that is the same style as existing.

ALSO in your response email, I told you I would work on a proposal (since you offered no solutions outside of electrocuting my dogs) and your response was "this will put the violation process on hold until the review and vote have concluded". I expect that you will remove any existing fines as we have continued to offer to work on a solution and you have flat out refused to come up with any solution, AND you said in your email that no violation would be applied.

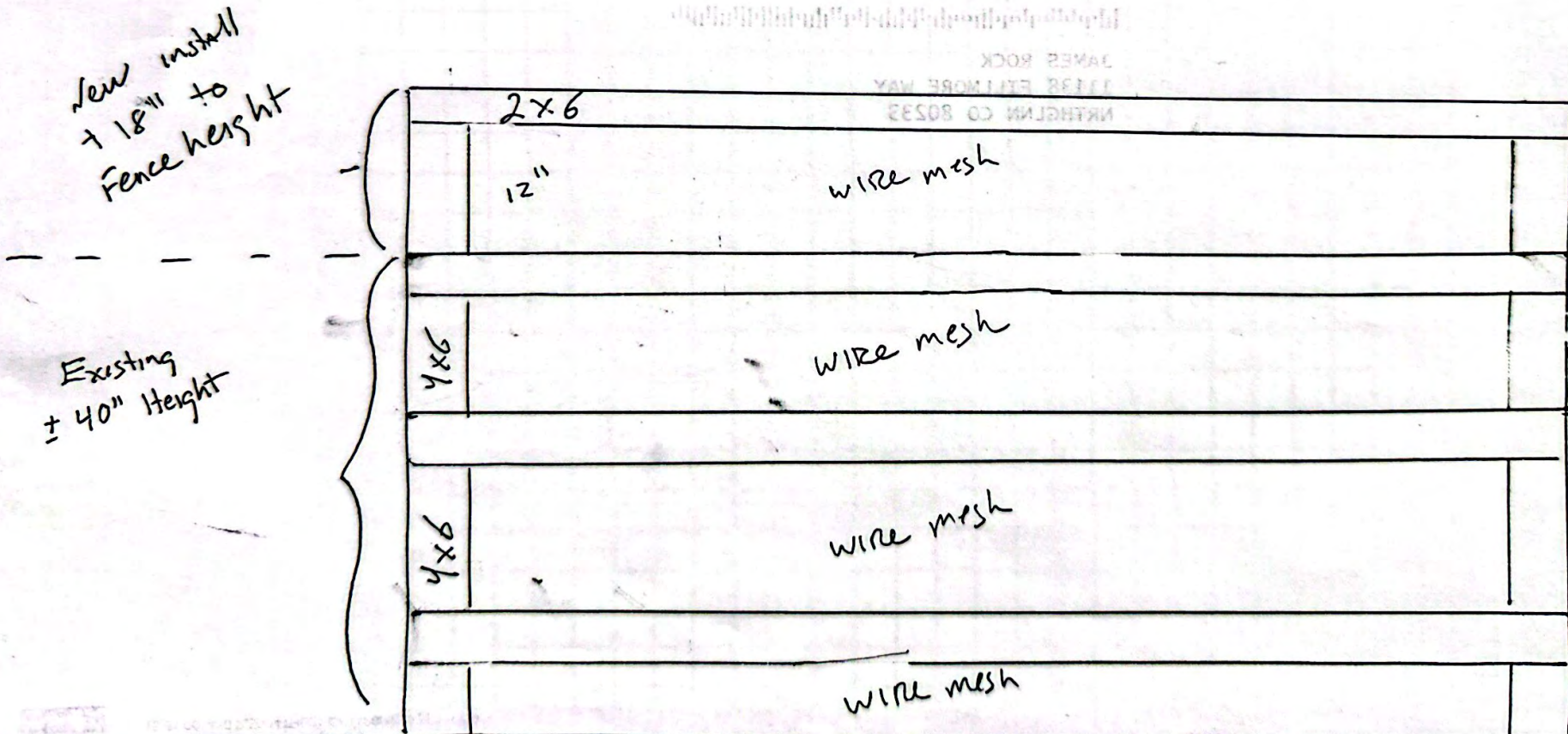
****please send us a copy of ALL of the violations that went out with ours. I am sure there is some type of release of information that you can perform. This is our formal request to know who/what violations were sent out on 1/30/24.

9492 Joyce Way

CAZIER

Proposed Fence Improvement

Additional height will be the same style as existing, consistent with community Guidelines. Not screen, Not Privacy Fence.





Re: VAUXMONT METROPOLITAN - 9542 YUCCA WAY - Architectural - Global Stage 2 Policy

Ella The Great <mdgordon22@gmail.com>
To: VAUXMONT METROPOLITAN <dtorres@timberlinedc.com>
Cc: SHEELEA03@gmail.com

Wed, Feb 14, 2024 at 6:27 PM

Dear Vauxmont Metropolitan District Board & Desirae Torres,

I am writing in response to the Notice of Violation below, regarding the alleged improper diversion of drainage water onto Metro District property from my property located at [9542 Yucca Way, Arvada, CO 80007](#). I respectfully request a hearing to discuss and resolve this matter, as per the process outlined in your notice.

It is important to note that the drainage issue has been significantly influenced by the grading and landscaping decisions made by David Weekley Homes, with the knowledge and presumably the approval of the Vauxmont Metropolitan District. These decisions include the intentional grading of a swale on my property designed to manage water flow from adjacent properties and a natural spring that was disrupted during nearby construction activities. These factors have contributed to the unusual and excessive accumulation of water on my property and would like the opportunity to be heard regarding this matter.

Thank you for your attention to this matter. I look forward to resolving this issue amicably and fairly.

Sincerely,

M Drew Gordon

On Wed, Feb 14, 2024 at 5:21 PM VAUXMONT METROPOLITAN <no-reply@smartwebs365.com> wrote:

Dear Homeowner,

Please open and read the attached notice from your community management staff. *This is not spam.*

This email was auto-generated by Smartwebs on behalf of your community management staff. If you have any questions regarding this notice or if you do not wish to receive further email notifications, please contact your community management staff directly.

Please do not reply to this message, as we are unable to process any replies.
To ensure delivery of future messages, please add no-reply@smartwebs365.com to your 'Safe Senders' list.

Please open all links using Google Chrome. Internet Explorer is not supported.

Smartwebs,Inc. | [1015 S. Mays Street, Round Rock, TX 78664](#)



February 14, 2024

SHEENA FERGUSON & M. DREW GORDON
9542 YUCCA WAY
[ARVADA CO 80007](#)

RE: Inspection Date: 10/25/2023 12:50:12 PM
Account Number:
Property: 9542 YUCCA WAY
Violation: Architectural - DRAINAGE (SUMP PUMPS, DOWNSPOUTS, ETC.)
Location: On Property

Dear SHEENA FERGUSON & M. DREW GORDON:

A Courtesy Notice was sent previously to you on October 25, 2023 regarding the following violation:
Architectural - DRAINAGE (SUMP PUMPS, DOWNSPOUTS, ETC.)

At the direction of the Vauxmont Board of Directors, we are reaching out to inform you that you are improperly diverting drainage onto Metro District property. Please review the drainage guidelines, which can be found on page 25 of the District Design Standards located on the community's website, candelascommunity.com. Drainage that is not diverted to the front of the residence must discharge onto the homeowner's side of the property line. Please take the appropriate measures to divert drainage onto your property. Once completed, please provide a photo update to dtorres@timberlinedc.com.

Failure to comply or to provide reasonable corrective action plan that will lead to curing the violation within 7 calendar days will result in the imposition of additional fines and/or other remedies.

You have a right to be heard and can request a formal hearing. The hearing request must be received by the District Office in writing within 7 business days after the date of the Notice of Violation. The request must state the specific reason for the hearing. Within 7 business days of receipt of a hearing request, the District shall provide the Member written notice of the date, time and place the hearing is scheduled to occur. Failure of the homeowner to request a hearing within the prescribed time limit shall constitute a waiver of opportunity for such hearing and will allow the District to continue to impose fines, other remedies and/or engage in corrective action.

As of the Date of this letter a fine of \$25 has been imposed against your account. Please contact the District once the violation has been cured.

Our goal is to correct the problem, not impose penalties. We sincerely appreciate your time and attention to this matter. If you have any questions, please contact me at (303) 638-2096 or via email at dtorres@timberlinedc.com.

Sincerely,

Desirae Torres
Community Manager
VAUXMONT METROPOLITAN DISTRICT

--
Drew Gordon
[\(208\) 841-2672](tel:(208)841-2672)



Re: VAUXMONT METROPOLITAN - 9542 YUCCA WAY - Architectural - Global Stage 2 Policy

Sheena Ferguson-Gordon <sheelea03@gmail.com>
To: Desirae Torres <dtorres@timberlinedc.com>
Cc: Ella The Great <mdgordon22@gmail.com>

Fri, Feb 16, 2024 at 12:06 PM

Correct - and the neighboring properties around us had their natural springs drained into our backyard. We have all of the documentation, as well as invoices, that we will send.

Thank you,

Sheena

On Feb 16, 2024, at 11:15 AM, Desirae Torres <dtorres@timberlinedc.com> wrote:

[Quoted text hidden]

Re: VAUXMONT METROPOLITAN - 9542 YUCCA WAY - Architectural - Global Stage 2 Policy

M Drew Gordon <drew@thebluegrasslounge.com>

Mon, Feb 19, 2024 at 4:22 PM

To: Sheena Ferguson <sheelea03@gmail.com>

Cc: Desirae Torres <dtorres@timberlinedc.com>

Yes, a large majority of our neighbors to the west whose yards are at much higher elevations than ours all send their runoff water into our backyard. I have had countless inspectors look at this, water was drawn from my neighbor's natural spring that was punctured during their construction (their homes were built after ours) and sent off for testing in an out of state lab. We did receive confirmation of natural spring water draining directly into our yard, washing out our walk paths and flower beds. Additionally, we have had to replace many of our larger evergreen and aspen trees twice now due to them being "drowned by your neighbors drainage into your yard", per Colorado Landscape and Design. They still remain dead because, well, nobody has done anything about it other than us. These plans were sent to and received approval by the covenant/district prior to any work performed directly from our licensed contractor listed above.

Our design plans had to include filling the swale that already existed before we ever built the home (I explained this in my original email) with river rock specifically because it was flowing like a stream almost consistently. You can hear the water running underneath the river rock even when it cannot be seen! Our contractors became increasingly concerned that our foundation was going to begin to fail as our sump pump in our basement was filling and purging at an alarming rate. After spending approx \$135,000 on the backyard renovations and landscaping that could not, and still has not been able to survive the flooding to this day. After months of work to complete this project and all of our allocated funds for backyard landscaping were depleted, we were forced to spend an additional \$10,000 + to "contain" the literal river that was flowing through our property into 5x7' underground containment box that they filled with granite to keep our yard from washing out completely while on the verge of collapsing the SW corner of our yard. To add insult to injury our neighbors to our east, whom we are good friends with, began voicing their concerns as the NW corner of their yard too began flooding and killing their trees as well.

I spent countless countless hours working with irrigation and drainage professionals trying to come up with solution to this problem as the natural grade of all surrounding properties do not allow for the water from the spring or excessive rain/snow to escape into the street leaving us with this continued headache that has cost us 10's of thousands of dollars in damages all while being told that "it was going to be covered by the Metropolitan District". I had been informed by our assigned David Weekley builder, Brian Hostetler, that he spoke to the District directly (I believe it may have been under different management at the time) that we would be compensated for all we have had to deal with due to this persistent problem.

We were never contacted by anyone so I was forced to look for solutions as our backyard continued to be washed out and our very expensive landscaping continued to die. Many of our Evergreens and Aspens, not to mention the smaller greenery, are still dead today after being replaced multiple times and yet cannot survive the onslaught of overwatering from the neighboring properties along with the active spring in our neighbor's yard directly from the west.

I am working with our attorney to build a file for you and your District of invoices, communication with specialists and lab test results that we have personally paid for as we are shocked to hear that we are being penalized by the District when we were told you would be reaching out to help us. He will help us navigate the serious confusion you seem to have on what has actually occurred and how we have been the only party who has incurred any damages throughout this horrific process.

M Drew Gordon | Owner
THE BLUEGRASS
Coffee and Bourbon Lounge
208.841.2672

[Quoted text hidden]