

# Prairie Hawk Homeowners Association Design Guidelines

## Table of Contents

<b>INTRODUCTION</b>	2
<b>PURPOSE OF GUIDELINES</b>	2
<b>Design Review Process</b>	3
<b>Committee Review</b>	4
<b>Completion of Improvements after Approval</b>	4
<b>Improvements Requiring Committee Approval</b>	5
<b>Landscaping.</b>	5
<b>Xeriscaping.</b>	8
<b>Exterior Color Paint</b>	8
<b>Solar Panels.</b>	9
<b>Satellite Dishes and Antennas.</b>	9
<b>Playground Equipment.</b>	9
<b>Basketball Backboards.</b>	9
<b>Alley Landscaping (Summer Hawk only):</b>	9
<b>Storage Sheds.</b>	10
<b>Rain Barrels.</b>	11
<b>Improvements Exempt from Committee Approval</b>	11
<b>Design Request Form</b>	14
<b>Exhibit A – Front Yard/Street Trees pre-approved list</b>	15
<b>Exhibit B - Prairie Song</b>	15
<b>Exhibit C – Open Space Rail Fence</b>	17
<b>Exhibit D – Summer Hawk</b>	18
<b>Exhibit E – Guidelines for Installation of Satellite Dishes and Antennas</b>	19
<b>Exhibit F – Helpful Resource Links</b>	24

## **1. INTRODUCTION**

The Design Guidelines (the “Guidelines”) contained herein have been prepared to govern the design review procedure by the Design Review Committee (the “Committee”) of the Prairie Hawk Homeowners Association, Inc. (the “Association”), a sub-association of Fox Meadow Homeowners Association, Inc. The Prairie Song and Summer Hawk neighborhoods are within the Fox Meadow Subdivision and are subject to the Fox Meadow and Prairie Hawk Guidelines.

These Guidelines are created to supplement the recorded Declaration of Covenants, Conditions and Restrictions for the Prairie Hawk Homeowners Association (“Declaration”), recorded on September 29, 2014 in the real property records for Boulder County, Colorado at Reception No. 03404936. Homeowners and Builders are subject to the Architectural Approval requirements set forth in Article 6 of the Declaration in addition to the following Guidelines. The Guidelines have been accepted by the Declarant of the Declaration. All capitalized terms not defined herein shall have the definition provided in the Declaration.

## **2. PURPOSE OF GUIDELINES**

The Fox Meadow community (the “Community”) offers generous open space, pocket parks and trail corridors, and special effort has gone into street landscaping and entry monuments. The purposes of these Guidelines are to assist in maintaining the style of the community. The Guidelines will provide Homeowners with procedures and requirements involved in the design review process.

The Guidelines will also serve as the Committee’s guideline for review of each application that is submitted. This will allow each application submitted for proposed improvements to be reviewed and processed consistently.

*The Committee’s role is to consider the image of the Prairie Song and Summer Hawk neighborhoods (the “Neighborhood”) and preserve overall integrity when reviewing and approving applications for proposed improvements. These decisions are based on the best judgment of the Design Review Committee.*

### 3. Design Review Process

Applications for proposed improvements must be submitted to the Association’s management company, and approved by the Committee prior to commencement of any construction, landscaping, painting, etc.

Applications consist of two (2) primary parts.

1. **Design Review Request Form**, The application form is attached to these Guidelines, or may be obtained from the management company. Prior to submitting the application form, it is suggested that the Applicant review the Declaration.
2. **Design Plan**, Along with the application, pursuant to Section 6.5 of the Declaration, “The Person proposing to make such Improvement to Property shall submit to the Committee such...
  - a. descriptions,
  - b. surveys,
  - c. plot plans,
  - d. drainage plans,
  - e. elevation drawings,
  - f. construction plans,
  - g. specifications
  - h. samples of materials
  - i. colors

... as the Committee shall reasonably request showing the....

- j. nature,
- k. kind,
- l. shape,
- m. height,
- n. width,
- o. color,
- p. materials,
- q. location

... of the proposed Improvement to Property. The Committee may require submission of additional plans, specifications, or other information prior to approving or disapproving the proposed Improvement to Property.

Until receipt by the Committee of all required materials in connection with the proposed Improvement to Property, the Committee may postpone review of any materials submitted for approval.”Therefore, plans and specifications must be submitted with the completed application form to the Committee.

The Committee must receive all information pertaining to the application for proposed improvement prior to the final review of the application; in addition, at the Committee’s election in its sole discretion, the Committee may postpone the review of the application until a complete set of information and materials is submitted for any application. The Committee may require submission of additional plans and specifications prior to approval or disapproval. Helpful local resources are included in Exhibit F in reference to local requirements for changes to your property.

#### **4. Committee Review**

Upon receipt of the application form, design plans and specifications, the Committee will advise the applicant of any additional information, if any, that may be needed to complete the application and provided to the management company.

The committee will meet to review and approve or disapprove the application. The Committee has forty-five (45) days to notify the applicant in writing of approval or disapproval of an application, which time period shall commence only upon receipt of a complete application package, including all necessary supporting documentation and any additional information requested by the Committee.

Approval of an application may be subject to conditions consistent with these Guidelines and the Declaration; the Applicant must accept such conditions or the application will be denied.

#### **5. Completion of Improvements after Approval**

After approval of any proposed improvement, the improvement shall be completed within eighteen (18) months, or as otherwise stated in the written approval from the Committee.

If the improvement is not completed within the specified time frame, the approval will lapse.

If the Committee's approval of any improvement expires prior to completion thereof, the Homeowner must resubmit an application for the improvement and obtain a new approval thereof from the Committee prior to completion of such improvement.

Upon inspection, the Committee may issue a notice of noncompliance if there are items that do not comply with the approved application.

The notice of noncompliance shall specify the action the Applicant must take to remedy the noncompliance.

The Applicant has forty-five (45) days to remedy the noncompliance or the Committee and/or Association may take any and all actions authorized under the Declaration to insure compliance of such improvement.

## 6. **Improvements Requiring Committee Approval**

All improvements, whether exempt or not, must comply with local and state building codes and construction requirements. All improvements constructed within the Neighborhood are subject to the provisions of the Declaration and Guidelines to the extent applicable.

Pursuant to Section 6.2 of the Declaration, an overview of the improvements requiring Committee approval include, but are not limited to the following:

### 6.1. Construction of any building, deck, shed, or structure.

- 6.1.1. Roofing Materials. Allowable roofing materials are 3 tab dimensional asphalt shingles. Roofing materials that differ from this must be approved by the Committee prior to installation.
- 6.1.2. Exterior Building Materials. Exterior building materials and finishes must be in style with the Neighborhood. Materials and finishes must be approved by the Committee prior to construction and will be weighted according to compliance with existing materials and colors. Hand railings from the front porch are included in this requirement and materials used will be considered based on function and aesthetics for the home as well as the community.
- 6.1.3. Demolition (by voluntary action) of any building or structure.

## 7. **Landscaping.**

The design intent of the Prairie Hawk at Fox Meadow subdivision master landscape plan and overall theme of the Development is that of simple and informal groupings of plant materials kept in a clean and orderly manner in order to unify Summer Hawk and Prairie Song into cohesive neighborhoods.

To the greatest extent possible, utilizing native or hardy landscape material is encouraged.

Landscaping includes, but is not limited to trees, shrubs, turf, planting areas and gardens, patios, decks and retaining walls.

Front yard landscapes have been provided by the Builder/Developer. Accordingly, these guidelines will apply primarily for any significant future modifications to the front yard, side yard for corner lots, and alley easement landscape.

Landscape/design plans submitted to drc should designate all plant materials at approximately two-thirds of their final, mature size. A landscape/design plan is required as part of a Design Review Request submission

- 7.1. **Grading and Drainage.** Homeowners are required to maintain all previously established drainage patterns as shown on the grading certificate. Grading should be designed to:

avoid ponding on the site; allow 10% slopes away from the residence for a distance of at least five (5) feet; avoid excessive run-off at a point onto adjacent sites; and maintain existing drainage patterns/channels. The landscape/design plan (required as part of the DRr) shall indicate contours and/or finish grade elevations showing and assuring that the proper drainage conforms to the Master Grading and Drainage Plan and shall not deviate through the construction of the landscape. The responsibility rests with the owner to ensure that the site is in accordance with the Master Drainage and Grading Plan. Any drainage, grading, ground water, or any water problems that exist or arise are not the responsibility of the Committee. The owner of any lot expressly waives all action against the Committee at any time related to water problems on any site or common area at Prairie Hawk. The owner also agrees to accept financial responsibility for any water damage that occurs to neighboring residences, due to their approved landscaping project.

- 7.2. **Utility lines or easements.** In making improvements to the property, homeowners are responsible for locating all the lot lines, water, sewer, gas, electrical, cable television, or other utility lines or easements. No work shall be done outside of the owner's property.

All underground utility lines and easements can be located by contacting:

***Utility Notification Center of Colorado @ [1-800-922-1987](tel:1-800-922-1987)***

- 7.3. **Irrigation Systems.** Each and every lot shall have an automatic irrigation system capable of watering all landscaped areas containing plant materials to ensure the continued survival of plant materials. Irrigation systems shall be equipped with a time clock to provide for automatic irrigation of areas to allow watering during periods of minimum of evaporation. The irrigation system shall be designed by a qualified individual or installer. Irrigation systems should be designed to minimize over-spray onto adjacent lots or public sidewalks, and to conserve water. No new irrigation systems will be approved to be installed in the utility easement.
- 7.4. **Ornamentation.** The utilization of non-living objects as ornaments in the landscape is permitted in keeping with the scheme/theme of the community and in good taste at the sole discretion of the Design Review Committee, Board of Directors and management company. Hardscapes can include large boulders or other natural materials that are used as a part of the landscape design. The Architectural Review Committee prefers to see natural colored rock and masonry or masonry that matches the existing house color. Water features, Urns, and other man-made ornamentation can add variety. A DRR is required, prior to installation.
- 7.5. **Minimum Landscaping Requirements and Maintenance.**  
The following landscaping quantities and maintenance are the minimum requirements.

The Committee strongly encourages additional plantings to complement and add to these minimums and to be consistent with the guidelines, contained in this section. In addition, the use of flower beds, with variety to promote seasonal color, is also strongly encouraged.

All landscaping shall be maintained in a neat and attractive condition. Minimum maintenance requirements include removal and replacement of damaged, dead or dying plant materials, and treatment of diseased plant material and removal of trash.

Removal of leaf, needle, fruit and other droppings from trees and plant material from the surrounding landscape, whether they fall on turf or other landscape areas, as well as debris that fall on public or common sidewalk, street/alley and associated drain pans/gutters.

Each lot within the Prairie Hawk subdivisions shall comply with the following minimum requirements. Expectations are that lots will have:

7.5.1. Watering - All plant materials in landscaping areas must be watered in accordance with minimum watering needs of the plant specimens contained within to maintain healthy and attractive specimens.

7.5.2. Trees. One or two, 2" caliper or larger front yard trees. Replacement front yard trees are to be selected from the list of pre-approved trees included in *Exhibit A* for replacement or initial planting.

Trees are not to be planted closer than five feet (5') to sidewalks, driveways or patio slabs where possible, to minimize potential root damage to the concrete.

Trees located in front yards should align with those on adjacent properties.

Trees are to be pruned in a manner allowing light penetration and air flow as necessary for the health of the landscaping, to remove dead limbs and prevent blocking street signs, and municipal lighting.

7.5.3. Shrubs. Minimum of four (4), 5 gallon shrubs in the front yard.

Shrub beds, designated garden/flower bed areas and areas planted with acceptable ground cover materials such as mulch or rock must be clearly defined with borders. All borders are to be kept edged and clean regardless of metal, plastic, stone, or landscape block.

7.5.4. Turf areas are to be mowed as to not allow a height greater than 6 inches.

All areas not in shrub beds, designated garden/flower bed areas, areas planted with acceptable ground cover materials including mulch and rock, patios, decks or other

hard surface areas shall be sodded with Kentucky Bluegrass or a predominantly Kentucky Bluegrass mixture.

Artificial turf (synthetic grass) may be substituted for living turf grass in the backyard or front yard areas deemed too inefficient for irrigation. This determination/approval will be made on a case by case basis by the Committee. Physical Samples must be submitted for approval prior to installation.

- 7.5.5. Encroachment. No plants may encroach on public sidewalks, sight triangles or alley concrete drain pans. Trees, shrubs and bushes are to be pruned in a manner that provides a minimum clearance of 8 feet over the full width of public sidewalks and 15 feet over the full width of public streets/alleys (per city ordinance),
- 7.5.6. Weeds and noxious plants/grasses are to be removed and/or eliminated on all lot landscaping areas including alley easements, acceptable forms of removal include pulling and forms of chemical treatment, mowing or cutting back is not considered acceptable elimination.
- 7.5.7. Perennials that die back during winter must be cut back to remove dead material. This includes most ornamental grasses and other flowering perennials that go dormant to the ground in winter.
- 7.5.8. Mulched areas. No large open areas of rock or mulch are permitted. Large beds of shrub, flower or ground cover are permitted with bare rock or mulch not to exceed 25% of the bed area as defined by borders. Mulched areas must have fresh mulch reapplied as needed. Due to the action of our dry climate and high-altitude sun, an owner should be prepared to 'refresh' mulch at least every two to three years.

## **8. Xeriscaping.**

Xeriscaping is acceptable for front and back yard landscape designs. For the definition of Xeriscape and other resource materials related to xeriscaping please refer to *Exhibit F*.

Submissions must be either professionally designed by a landscape company and/or include details such as % mature plant coverage, irrigation methods/location. It should also include details such as visually appealing borders, weed barrier and soil mediation. In general, the closer the conformance of the plan to the established guidelines in the exhibit, the more likely a xeriscape plan will be approved.

## **9. Exterior Color Paint**

Committee verification and approval of painted color swatches on home frontal areas are required for *all* exterior painting.



Color swatches of 24" by 12" are preferred for evaluation for body paint. Trim color must be also included in a Design Review Request but smaller trim swatches are allowed and should be located adjacent to the body color swatch for review.

Sheen cannot be semi-gloss or gloss and when repainting a home, the color choice must be different from all adjacent, next to, across from, or kitty corner houses. Color variation throughout the community is encouraged as to not create areas of a single predominant color. Meaning if the house next to you is a blue color you should not pick another blue color unless it is a significant difference in hue, tone or shade as determined by the Committee.

**10. Solar Panels.**

All solar panels shall be installed with construction details to appear as an integral part of the structure. The design and location shall be approved by the Committee on a case by case basis.

**11. Satellite Dishes and Antennas.**

Location and installation of a satellite dish or antenna when provided by currently available local commercial satellite companies are pre-approved provided they meet the size and location restrictions as described in *Exhibit E, Guidelines for Installation of Satellite Dishes and Antennas.*

**12. Playground Equipment.**

No permanent playground equipment shall be erected on any property without prior approval from the Committee, including but not limited to play structures, trampolines and swimming pools.

**13. Basketball Backboards.**

Backboards above thirteen (13) feet in height, as measured from the ground level, shall be subject to the approval of the Committee and in accordance with city codes *15.05.190. Use of public rights-of-way and in prior section 15.05.090, "Landscaping, buffering and screening" of the Municipal Code. (Code 1993, § 15.05.190; Ord. No. O-2001-78, § 1; Ord. No. O-2011-54, § 5, 8-9-2011.*

**14. Alley Landscaping (Summer Hawk only):**

The space between the concrete drainage pan and the fences, is the City of Longmont utility easement. Any damage created by alley landscape to the existing utilities, will be the homeowner's responsibility to pay for repair. All plantings in the utility easement should be considered 'temporary' as the city or its

contractors can and will disturb them to repair or upgrade those utility lines. The city is authorized to prune any tree or shrub to create a clearance and to assess the cost of such trimming against the owner of the encroaching tree or plant.

It is up to the homeowner to keep their landscaping features in compliance with Longmont City Code: 13.24.030. - Clearance requirements: It shall be the obligation of the owner of any property to remove, trim, or otherwise treat trees and plants which:

- Project into or encroach upon any public right-of-way in such a manner as to interfere with, obstruct, or endanger the safe public use of the right-of-way for pedestrian or vehicular traffic.
- Fail to provide clearance over streets and alleys of at least 15 feet and over sidewalks of at least eight feet.
- Block the visibility of a street light or traffic control device as defined in the Manual on Uniform Traffic Control Devices, such as a traffic regulatory sign or street identification sign.
- Create a sight distance triangle obstruction. See forestry services standards and specifications for diagrams and additional information.
- Grow within three feet of a fire hydrant.

The homeowner is allowed to make changes per the Design Guidelines, but should take the following information into consideration as part of their landscape/design planning process.

- Plantings within 36 inches (3 feet) of the right-of-way are limited to less than 36 inches tall at maturity.
- No plantings within 36 inches (3 feet) of the neighboring driveway.
- No plantings with 36 inches (3 feet) of a fire hydrant per City of Longmont code referenced above.
- Plantings within 36 inches (3 feet) of the intersections are limited to less than 36 inches tall at maturity.

## **15. Storage Sheds.**

Building materials, horizontal alignment and exterior paint colors are required to match the house. 120 square feet is the maximum size allowed and maximum height is eight (8) feet. Allowable shed size is dependent upon usable lot size based on City of Longmont set-back requirements. All sheds require Committee approval and should be less than 10% available backyard space. All sheds must meet the city of Longmont zoning requirements as specified in : *Longmont City Code*

15.03.080 - *Measurements and Exceptions In residential zoning districts*, storage sheds may encroach into any required side or rear yard, provided such shed is less than 120 square feet in size, is not located closer than three feet to any property line, is not placed on a permanent foundation or over an easement, and is designed to accommodate lot drainage.

**16. Rain Barrels.**

Rain collection barrels are to be in compliance with Colorado State laws as well as be placed at ground level and contained within the backyard space and not visible from the street. Rain barrels are expected to collect from existing drain spouts. In order to prevent rain barrels from becoming mosquito breeding grounds, it is important to follow several best practices.

17. First, although any container can be used to collect rainwater, *House Bill 16-1005 requires the container to be equipped with a sealable lid*. Fortunately, many rain barrels that can be purchased online or from a local home supply store have lids.

18. Second, the rain barrel should be completely emptied every month (or less). If you plan to be away from the home for more than a week, you should disconnect your rain barrel from the downspout.

**19. Improvements Exempt from Committee Approval**

**19.1. Interior Alterations.**

Alterations to the interior of the residence when the outside appearance of the structure is not visually affected, excluding reflective glass.

**19.2. Repairs to a Residence as Follows.**

Repairs or modifications to the exterior of a residence are only exempt if they are in compliance with previously approved drawings and specifications. Re-roofing or re-staining within original color tones is allowed. Roof materials used in the Prairie Hawk community are weathered wood and driftwood asphalt 3 tab shingles and the color must not conflict with the exterior paint scheme.

**19.3. Replacement Windows, Doors and Storm doors.**

Windows shall be painted, stained or pre-finished insulated wood or quality vinyl or other materials architecturally integrated in color and placement. The use of horizontal sliding windows is strongly discouraged. All exterior doors shall be architecturally compatible and coordinating in color with the design, form and style of the building. Storm doors shall be integrated architecturally with the design of the residence. Prairie Hawk currently allows for white molded casings on the exterior face for windows and doors. Any deviation from this standard requires a Design Review Request submission.

The use of the following materials does not achieve the desired quality and are prohibited:

- Metal siding/roofing of any kind.
- Vinyl siding of any kind.
- Concrete (except as required for foundation walls).
- Plywood or composite sheet siding, with the exception of use for soffits.
- Board and batten siding unless incorporated into an architectural feature (gable area, pop-outs)
- Man-made/synthetic, not fired clay, brick or brick appearing panels.
- Mirrored glass or very dark glass, with the exception of "low E" glass where appropriate.
- Non-anodized (mill finish, silver) aluminum or unpainted metal windows, doors or gutters and downspouts.

19.4. **Surface Mounted Equipment.** The location and finish treatment of items mounted on the exterior surfaces of the building(s) should be carefully planned and detailed. Such items include, but are not limited to, skylights, radon mitigation piping, vents, mechanical equipment, access ladders, electrical equipment or meters, gas meters, etc.

In no case should these items give the appearance of simply being mounted on the exterior surface of the building(s) with no relationship to the surrounding elements.

All piping/venting, electrical conduit and wiring and other items are to be painted the same as the body or trim behind the attached addition

19.5. **Basketball Backboards.** One backboard not more than thirteen (13) feet in height is permitted without approval. One temporary movable backboard is permitted without approval provided it is not used on any Lot in a manner which provides for long-term or permanent use. *Subject to city code 13.04.310 - Temporary obstruction permit-Conditions*

19.6. **Fencing.** Please see attached Exhibits B, C, and D for the standard fence design specifications that are required for all properties. Reasonable expectations for fencing quality are cedar or better for pickets. All fences are required to have stain.

Prairie Song Neighborhood – 5' Dog-Eared Solid Cedar fencing (as illustrated in Exhibit B) is allowed along side and rear lot lines, but is not to extend beyond wing fences (towards the front property line). Any natural wood stain is approved for this community.

Summer Hawk Neighborhood – 4’ Dog-Eared solid Cedar fencing (as illustrated in Exhibit D) is allowed along side and rear lot lines, but is not to extend beyond wing fences (towards the front property line). The preapproved fence color is:

Guiry’s

Summer Hawk Fence Yellow

G-18-2253 Exterior Stain (Water Based)

G-18-2252 Exterior Semi Solid (Oil Based).

Open rail fencing - (as illustrated in Exhibit C) is required along all lot lines that are adjacent to open space areas, pocket parks and trail corridors. This applies to both Prairie Song and Summer Hawk. The preapproved fence color is Kwal 6812-1326 Super Deck, Semi-transparent oil stain.

Solid fencing is **prohibited** along lot lines adjacent to open space areas, pocket parks and trail corridors. Fencing not illustrated in Exhibits B, C and D shall not be constructed unless approved by the Committee. This applies to both Prairie Song and Summer Hawk. A building permit is required per city of Longmont.

## 20. Design Request Form

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### PRAIRIE HAWK HOA

c/o Flagstaff Management, Inc. 2030 Terry Street, Suite 104,  
Longmont, CO 80501 PHONE 303-682-0098 FAX 303-682-1111  
website: [www.flagstaffmanagement.com](http://www.flagstaffmanagement.com)  
email: [fmc900@flagstaffmanagement.com](mailto:fmc900@flagstaffmanagement.com)

DATE RECEIVED:  
RECEIVED BY:

DATE SENT TO DRC

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#### DESIGN REVIEW REQUEST FOR HOME IMPROVEMENTS

HOMEOWNER(S):

PROJECT ADDRESS:

PHONE:

EMAIL ADDRESS (the DRC primary means of contact):

**PAINTING SPECIFIC DRR REQUEST,** Please include the paint manufacturer, color, number and samples with any exterior paint request. All exterior paint projects require a 24" x 12" main body and smaller for trim swatches, painted next to each other, for inspection on the front of the home and clearly visible from street / sidewalk. These swatches need to be in place at the same time of your submission for approval, to ensure colors match the submitted samples.

**GENERAL DRR REQUEST,** Please be specific and supply diagrams / maps of your plan indicating location and description of DRR item(s) requested, as applicable. If dust or excessive noise will occur during the improvement, how will you minimize the impact on your neighbors? We recommend you inform your immediate neighbors about the type and duration of that work.

**DESIGN REVIEW REQUEST DESCRIPTION:**

Note: attach additional pages as necessary and note the number of pages attached below.

**HOMEOWNER ESTIMATED START DATE:** \_\_\_\_\_

**HOMEOWNER ESTIMATED COMPLETION DATE:** \_\_\_\_\_

I / We understand that I / we must obtain approval for the Association in order to proceed. I / We understand the Association approval does not constitute approval by the local building department (or other governing agencies) and that I / we may be required to obtain a building permit, code variance, etc. I / We agree to complete improvements promptly after receiving approval. I / We understand failure to start work within six (6) months of DRR approval automatically voids this DRR and a new DRR is required to be submitted without guarantee for repeated approval (if previously granted). I / We understand the project in total must be completed within eighteen (18) months of DRR approval. I / We understand that we will notify the Management Company when the project is complete.

**HOMEOWNER SIGNATURE AND DATE:** \_\_\_\_\_

**THE DECISION OF THE COMMITTEE SHALL BE MADE WITHIN 45 DAYS AFTER RECEIPT BY THE COMMITTEE OF ALL MATERIALS REQUIRED, UNLESS SUCH TIME PERIOD IS EXTENDED BY MUTUAL AGREEMENT.**

**DESIGN REVIEW COMMITTEE ACTION:**

- Approved as Submitted, proceed with project.
- Approved with the following changes/conditions, see below.
- Not approved – incomplete submission, please see below.
- Disapproved, project request denied

**DRC APPROVAL DATE:**  
**MUST START PROJECT BY DATE:**  
**DRR EXPIRATION DATE:**  
**PROJECT COMPLETION DATE:**

**DESIGN REVIEW COMMITTEE SIGNATURE AND DATE:**

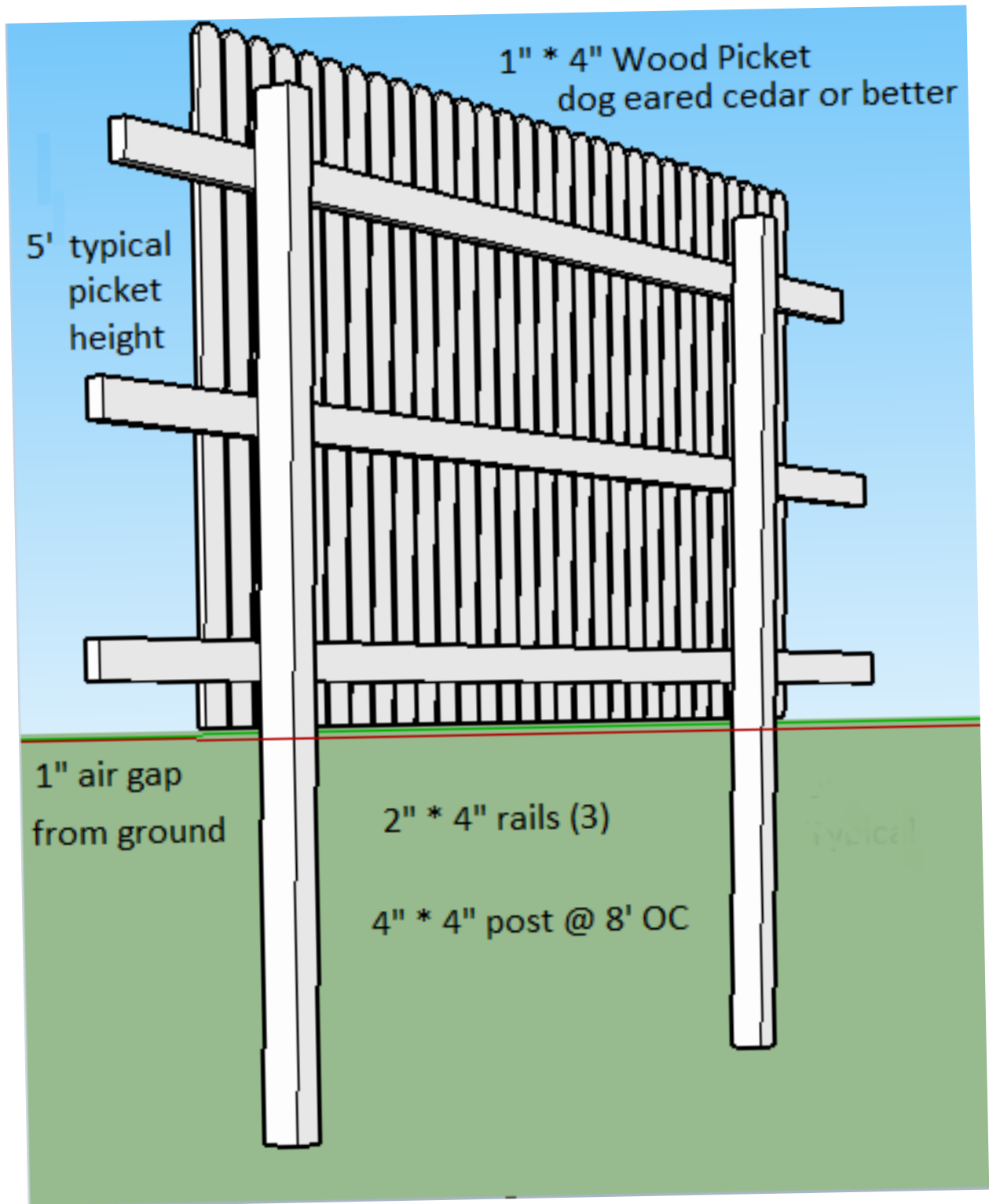
Revision Date: 18 Aug 2020

## 21. Exhibit A – Front Yard/Street Trees pre-approved list

Botanical Name	Common Name	Notes
<i>Acer grandidentatum</i>	Bigtooth Maple	
<i>Acer negundo</i>	Boxelder	
<i>Acer platanoides</i>	Norway Maple	Varieties ‘Deborah’, ‘Emerald Lustre’, ‘Emerald Queen’, ‘Fairview’
<i>Acer saccharum</i>	Sugar Maple	Varieties ‘Autumn Splendor’, ‘Caddo’ (John Pair), ‘Fall Fiesta’, ‘Green Mountain’
<i>Acer tataricum</i>	Tatarian Maple	Species acceptable. Also ‘GarAnn’ (Hot Wings)
<i>Acer truncatum x platanoides</i>	Hybrid Norway Maple	Cultivars Crimson Sunset, Norwegian Sunset, Pacific Sunset
<i>Aesculus hippocastanum</i>	Horsechestnut	Variety ‘Baumanii’. Cultivars ‘Briotti’, ‘Fort McNair’
<i>Catalpa ovata</i>	Chinese Catalpa	
<i>Catalpa speciosa</i>	Northern Catalpa	
<i>Celtis occidentalis</i>	Hackberry	
<i>Cladrastis kentukea</i>	American Yellowwood	
<i>Cornus controversa</i>	Giant Dogwood	Variety ‘June Snow’ preferred
<i>Crataegus viridis</i>	Green Hawthorn	Variety ‘Winter King’ preferred
<i>Fagus sylvatica</i>	European Beech	Varieties ‘Atropurpurea’, ‘Riversii’, ‘Roseo-marginata’
<i>Ginkgo biloba</i>	Maidenhair Tree	Varieties ‘Autumn Gold’, ‘Golden Globe’, ‘Saratoga’, ‘The President’
<i>Gleditsia triacanthos var inermis</i>	Thornless Honeylocust	Varieties ‘Imperial’, ‘Shademaster’, ‘Skyline’, ‘Sunburst’
<i>Gymnocladus dioica</i>	Kentucky Coffeetree	
<i>Liriodendron tulipifera</i>	Tuliptree	
<i>Platanus x acerifolia</i>	London Planetree	Cultivar ‘Bloodgood’
<i>Platanus occidentalis</i>	American Sycamore	
<i>Quercus alba</i>	White Oak	Species only
<i>Quercus bicolor</i>	Swamp White Oak	Species only
<i>Quercus buckleyi</i>	Texas Red Oak	
<i>Quercus coccinea</i>	Scarlet Oak	
<i>Quercus imbricaria</i>	Shingle Oak	
<i>Quercus macrocarpa</i>	Bur Oak	Species only
<i>Quercus muehlenbergii</i>	Chinkapin Oak	
<i>Quercus robur</i>	English Oak	Species only
<i>Quercus rubra</i>	Red Oak	
<i>Tilia americana</i>	American Linden	Vars. ‘American Sentry’, ‘American Legend’, ‘Boulevard’, cultivar ‘Redmond’
<i>Tilia cordata</i>	Littleleaf Linden	Vars. ‘Greenspire’, ‘Shamrock’, cvs. ‘Dropmore’, ‘Glenleven’
<i>Tilia mongolica</i>	Mongolian Linden	Variety ‘Harvest Gold’
<i>Tilia tomentosa</i>	Silver Linden	Variety ‘Sterling’
<i>Ulmus americana</i>	American Elm	Vars. ‘Princeton’, ‘Valley Forge’
<i>Ulmus hybrids</i>	Hybrid Elms	Includes Accolade, Frontier, New Horizon, Patriot, Prospector, Triumph

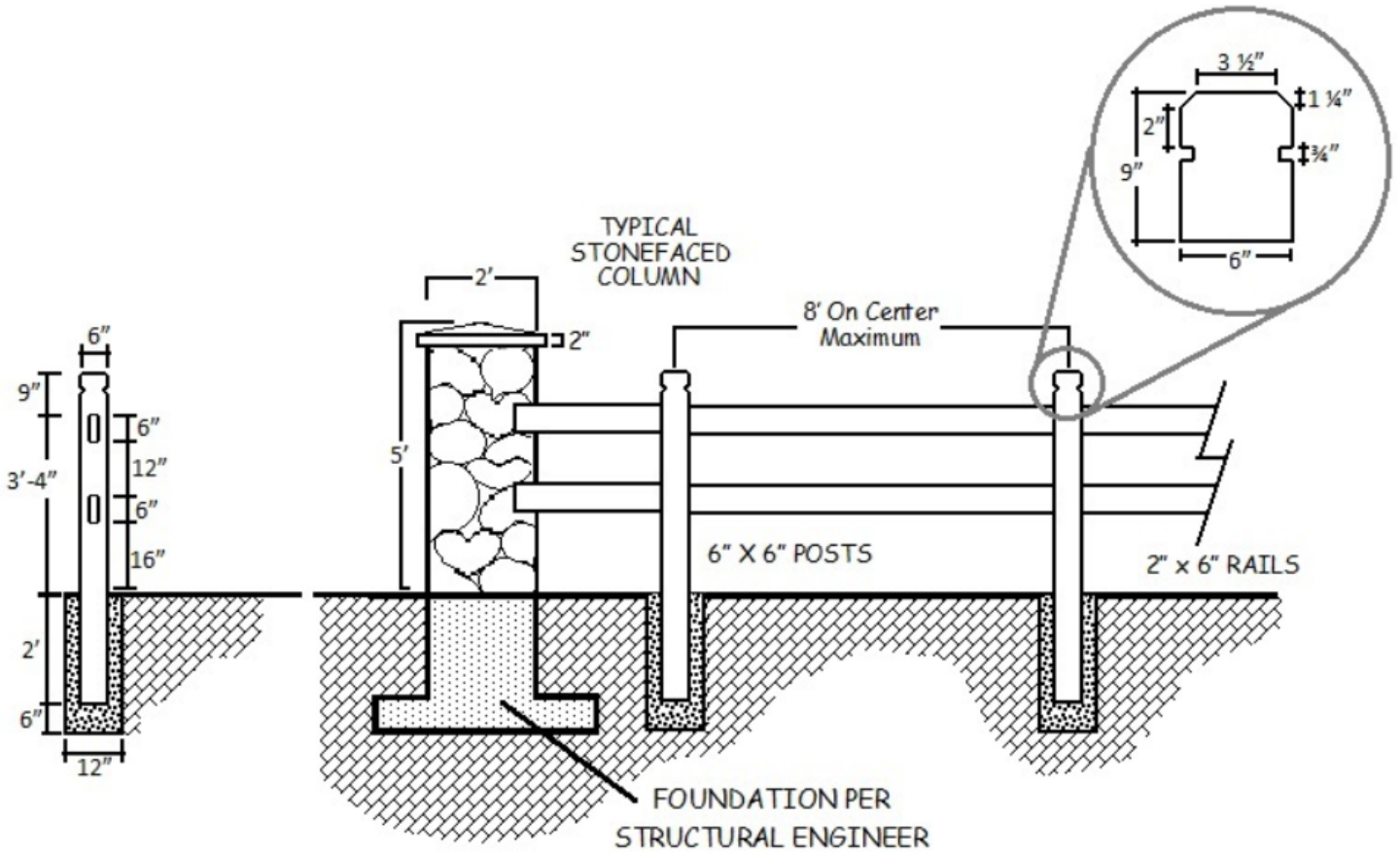
Flowering ornamentals including Crabapples (*Malus* cultivars and selections), Pears (*Pyrus* cultivars and selections), Stone Fruits (*Prunus* cultivars and selections) can be considered on a space available basis in addition to, but not as a substitute for the ‘Front Yard / Street Tree’ list of options.

## 22. Exhibit B - Prairie Song

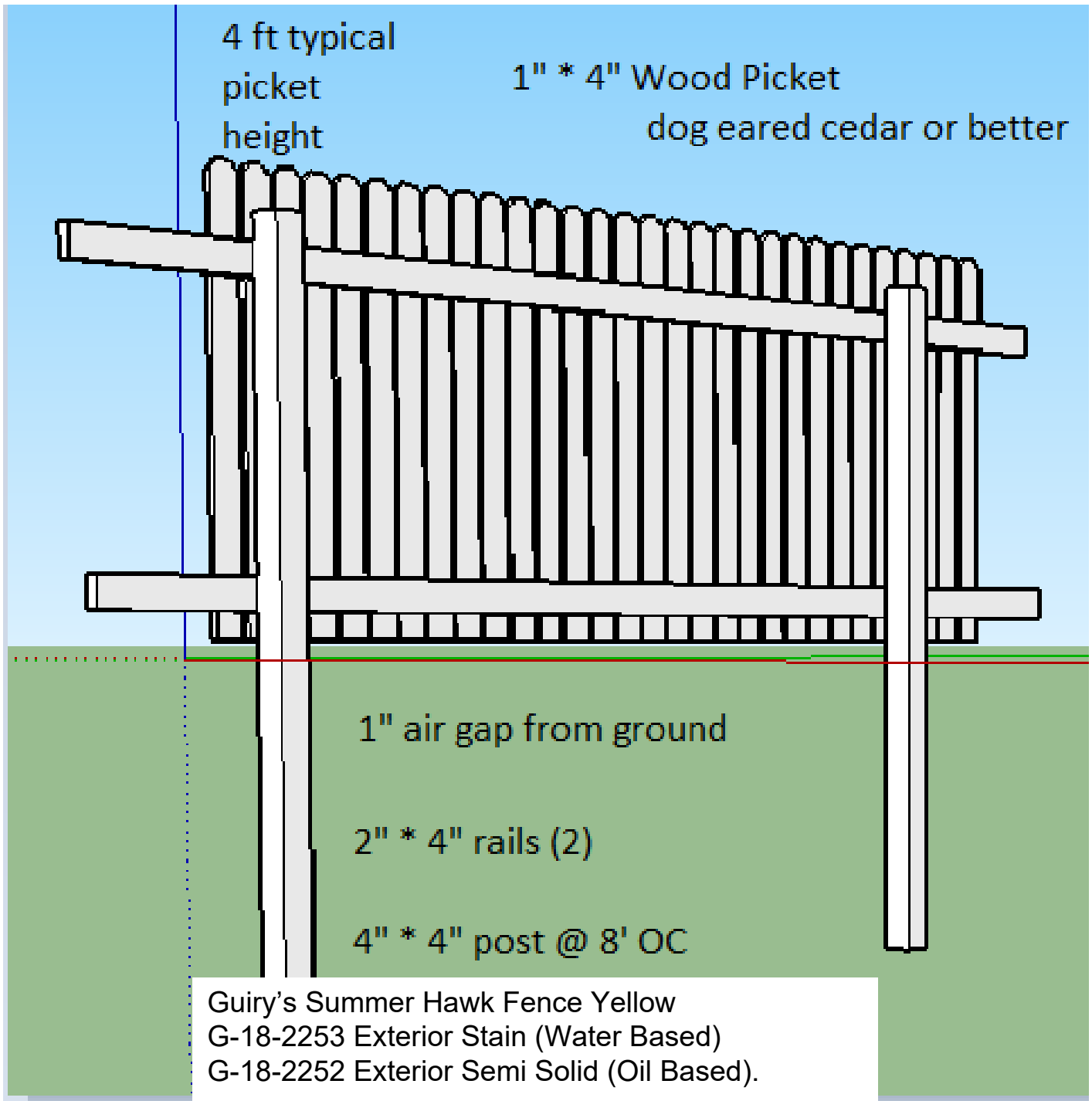




23. Exhibit C - Open Space Rail Fence



24. Exhibit D – Summer Hawk



## **25. Exhibit E – Guidelines for Installation of Satellite Dishes and Antennas**

### **25.1. Preamble**

These rules are adopted by the Board of Directors of Prairie Hawk Homeowners Association, Inc. (the “Association”), effective 31 Jul 2001.

### **25.2. Recitals**

WHEREAS, the Association is responsible for the governance and maintenance of the Prairie Hawk community (the “Community”), and

WHEREAS, the Association exists pursuant to the Declaration of Covenants, Conditions and Restrictions for Prairie Hawk (the “Declaration”), the Articles of Incorporation for the Prairie Hawk Homeowners Association, Inc. (the “By-Laws”), and

WHEREAS, the Association is authorized to adopt and enforce reasonable rules and regulations in the best interests of the Community, pursuant to Article 4 of the Declaration, and

WHEREAS, the Federal Communications Commission (the “FCC”) adopted a rule effective 14 Oct 1996, as amended (the “FCC Rule”), preempting certain restrictions in the governing documents concerning the installation, maintenance, and use of direct broadcast satellite, television broadcast, and multipoint distribution service (“antennas”); and

WHEREAS, the Association desires and intends to adopt reasonable restrictions governing installation, maintenance and use of antennas in the best interests of the Community and consistent with the FCC Rule.

NOW THEREFORE, the Association adopts the following restrictions and regulations for the Community, hereinafter referred to as the “Rules” which shall be binding upon all owners and their grantees, lessees, tenants, occupants, successors, heirs, and assigns who currently or in the future may possess an interest in the Community, and which shall supersede and previously adopted rules on the same subject matter.

### **25.3. Definitions**

- Antenna – any device used for the receipt of video programming services, including direct broadcast satellite (DBS), television broadcast, and multipoint distribution service (MDS). A reception antenna that has limited transmission capability designed for the viewer to select or use video programming is a reception antenna provided that it meets FCC standards for radio frequency emission. A mast, cabling, supports, guy wires, conduits, wiring, fasteners, or other accessories necessary for the proper installation, maintenance, and use of a reception antenna shall be considered part of the antenna.
- Mast – structure to which an antenna is attached that raises the antenna height.
- Transmission-only Antenna – any antenna used solely to transmit radio, television, cellular or other signals.
- Owner – shall have the meaning provided in the Declaration. For the purpose of this rule only, “owner” includes a tenant who has the written permission of the homeowner/landlord to install antennas.
- Telecommunication signal – signals received by DBS, television broadcast, and MDS antennas.

## **25.4. Installation Rules**

### **25.4.1. Antennas Size and Type**

- DBS antennas that are one meter or less in diameter may be installed. Antennas larger than one meter in diameter are prohibited.
- MDS antennas one meter or less in diameter may be installed. MDS antennas larger than one meter in diameter are prohibited.
- Antennas designed to receive television broadcast signals, regardless of size, may be installed.
- Installation of transmission-only antennas are prohibited unless approved by the Board of Directors.
- All antennas not expressly required by the FCC Rule to be permitted within the Community are prohibited.

### **25.4.2. Locations**

Antennas shall be installed solely on individually-owner property as designated on the recorded deed for the property. Antennas shall not encroach upon common areas or any other owner’s

property. If acceptable quality signals may be received by placing antennas inside a dwelling, without unreasonable delay or unreasonable cost increase, then outdoor installation is prohibited.

Antennas shall be located in a place shielded from view from the street or from other lots to the maximum extent possible; provided, however, that nothing in this rule would require installation in a location from which an acceptable quality signal may not be received. This section does not permit installation on common property, even if an acceptable quality signal may not be received from an individual-owned lot.

- DBS and MDS antennas should be located in the rear yard, below the fence line unless an acceptable quality signal cannot be obtained from this area.
- Television antennas should be located in the attic of the dwelling unless an acceptable quality signal cannot be obtained from this area.

Antennas which must be installed on the roof to gain an acceptable signal, should be installed on the rear slope of the roof, and should be shielded by the chimney if possible.

#### **25.4.3. Installation**

Antennas shall be no larger nor installed higher than is absolutely necessary for reception of an acceptable quality signal. All installations shall be completed so that they do not damage the common areas of the Association or the lot of any other resident, or void any warranties of the Association or other owners, or in any way impair the integrity of buildings on common areas or lots.

Owners are responsible for all costs associated with the antenna, including but not limited to costs to:

- Place (or replace), repair, maintain, and move or remove antennas;
- Repair damages to the common property, other lots, and any other property damaged by antenna installation, maintenance or use;
- Pay medical expenses incurred by persons injured by antenna maintenance, or use;
- Reimburse residents or the Association for damages caused by antenna installation, maintenance, or use.

Antennas must be secured so that they do not jeopardize the soundness or safety or any other owner's structure or the safety of any person at or near the antennas, including damage from wind velocity based upon a unique location.

#### **25.4.4. Maintenance**

Owners shall not permit their antennas to fall into disrepair or to become safety hazards.

Owners shall be responsible for antenna maintenance and repair.

Owners shall be responsible for repainting or replacement if the exterior surface of the antenna deteriorates.

Antennas shall be installed and secured in a manner that complies with all applicable city and state laws and regulations, and manufacturer's instructions. The owner, prior to installation, shall provide the Association with a copy of any applicable governmental permit.

Unless the above-cited laws and regulations require greater separation, antennas shall not be placed within three (3) feet of power lines (above ground or buried) and in no event shall antennas be placed where they may come into contact with electrical power lines. The purpose of this requirement is to prevent injury or damage resulting from contact with power lines.

All installations must comply with all applicable codes.

In order to prevent electrical fire damage, antennas shall be permanently and effectively grounded.

Antennas are required to withstand wind gusts typical of the area, and shall be designed to withstand the pressure of snow and ice.

#### **25.4.5. Antenna Camouflaging**

Antennas or masts may not extend beyond a railing or fence unless no acceptable quality signal may be received from this location.

Antennas situated on the ground and visible from the street or from other lots must be camouflaged by existing landscaping or fencing, if an acceptable quality signal may be received from such placement. If no such existing landscaping or screening exists, the Association may require antennas to be screened by new landscaping or screening of reasonable cost.

Masts, and any visible wiring must be painted to match the color of the structure of which it is installed.

#### **25.4.6. Number of Antennas**

No more than one antenna of each provider may be installed by an owner.

#### **25.4.7. Mast Installation**

Mast height may be no higher than absolutely necessary to receive acceptable quality signals.

Masts that extend 12 feet or less beyond the roofline may be installed subject to the regular notification process. Masts that extend more than 12 feet above the roofline must be approved before installation due to safety concerns posed by wind loads and the risk of falling antennas and masts. Any application for a mast longer than 12 feet must include a detailed description of the structure and anchorage of the antenna and the mast, as well as an explanation of the necessity for a mast higher than 12 feet. If this installation will pose a safety hazard to Association residents and personnel, then the Association may prohibit such installation. The notice of rejection shall specify their safety risks.

Masts must be installed by a licensed and insured contractor.

Masts must be painted the appropriate color to match their surroundings.

Mast installed on a roof shall not be installed nearer to the lot line than the total height of the mast and antenna structure above the roof. The purpose of this regulation is to avoid damage to electrical power lines if the mast should fall in a storm.

Masts shall not encroach upon another owner's lot or common property.

Masts must be designed to withstand the weight of ice and snow.

#### **25.4.8. Notification Process**

Any owner desiring to install an antenna must complete a notification form and submit it to the Design Review Committee c/o the Association office. If the installation is routine and strictly conforms to all of the above Rules, the installation may begin immediately following submission of such notification form to the Design Review Committee

If the installation is other than routine for any reason, Owners and the Design Review Committee must establish a mutually convenient time to meet to discuss installation methods prior to commencement of any installation.

#### **25.4.9. Installation by Tenants**

Tenants may install antennas in accordance with these Rules with written permission of the homeowner/landlord. A copy of this permission must be furnished with the notification statement.

#### **25.4.10. Enforcement**

If these rules are violated, the Association may bring action for declaratory relief with the FCC, or any court of competent jurisdiction after notice to the Owner and an opportunity to be heard. If the court of FCC determines that the Association rule is enforceable, a fine of \$50 shall be imposed by the Association for each violation. If the violation is not corrected within a thirty (30) day period, additional fines of \$10 per day will be imposed for each day that the violation continues. To the extent permitted by law, the Association shall be entitled to reasonable attorney fees, costs, and expenses incurred in the enforcement of this policy.

If antenna installation poses a serious, immediate safety hazard, the Association may seek injunctive relief to prohibit or seek removal of the installation.

#### **25.4.11. Severability**

If any provision is ruled invalid, the remainder of these rules shall remain in full force and effect.

#### **25.4.12. Exhibit F – Helpful Resource Links**

Tips for outdoor water conservation from the City of Longmont

<http://longmontcolorado.gov/departments/departments-n-z/water/water-conservation/conserving-water-outdoors>

Tips for water wise landscaping, tree care, composting and water conservation from the City of Denver Water Board

[http://www.denverwater.org/docs/assets/6E5CC278-0B7C-1088-758683A48CE8624D/Water Wise Landscape Handbook.pdf](http://www.denverwater.org/docs/assets/6E5CC278-0B7C-1088-758683A48CE8624D/Water_Wise_Landscape_Handbook.pdf)

Xeriscaping fact sheets from Green Industries of Colorado and the Colorado State University, Fort Collins

[http://greenco.org/images/GreenCO Fact Sheet- Xeriscape Is Not a Garden Its a System.pdf](http://greenco.org/images/GreenCO_Fact_Sheet-Xeriscape_Is_Not_a_Garden_Its_a_System.pdf)

<https://extension.colostate.edu/topic-areas/yard-garden/xeriscaping-trees-and-shrubs-7-229/>

<https://extension.colostate.edu/topic-areas/yard-garden/xeriscaping-ground-cover-plants-7-230/>

<https://extension.colostate.edu/topic-areas/yard-garden/xeriscaping-perennials-and-annual-flowers-7-231/>

<https://extension.colostate.edu/topic-areas/yard-garden/xeriscaping-retrofit-your-yard-7-234/>

Creative landscaping facts and recommended plants from the CSU extension

<http://extension.colostate.edu/topic-areas/yard-garden/xeriscaping-creative-landscaping-7-228/>