

# **DESIGN GUIDELINES AND STANDARDS FOR THE POTOMAC FARMS COMMON INTEREST COMMUNITY**



Effective as of July 18, 2024

# Design Guidelines and Standards

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## Potomac Farms Design Guidelines and Standards

### 1. INTRODUCTION.

**1.1. DEFINITIONS.** The following words, when used in these Design Guidelines, shall have the meaning hereinafter specified:

- 1.1.1. "Board" means the Board of Directors of the District.
- 1.1.2. "City" means the City of Commerce City, Colorado.
- 1.1.3. "Common Area" means all tracts listed in Exhibit B to the Declaration and all right-of-way landscaping along Potomac Street, East 104<sup>th</sup> Avenue and East 108<sup>th</sup> Avenue as depicted on the Potomac Farms Filing No 1 Subdivision plat map filed with the Adams County Clerk & Recorder's Office on August 23, 2001 and Potomac Farms Filing No 2 Subdivision plat map filed with the Adams County Clerk & Recorder's Office on May 23, 2002.
- 1.1.4. "Common Interest Community or "Community" means the real estate which is described on Exhibit A and Exhibit C attached to the Declaration and all other real property which is made subject to the terms and provisions of the Declaration.
- 1.1.5. "County" means Adams County, Colorado.
- 1.1.6. "Declaration" means that certain Declaration of Covenants, Conditions and Restrictions for Potomac Farms, recorded March 07, 2002 in the office of the Clerk and Recorder of the County, as amended and supplemented from time to time.
- 1.1.7. "Design Guidelines" means these Design Guidelines and Standards, as such may be amended from time to time by the Committee with the advice of the Board.
- 1.1.8. "Design Review Committee" or "Committee" means the committee appointed by the Board to review and approve or disapprove requests for architectural approval, as more fully provided in the Declaration.
- 1.1.9. "District" means the Potomac Farms Metropolitan District a quasi-municipal corporation and political subdivision of the State of Colorado organized on December 24, 2001, the boundaries of which are located in Commerce City, Colorado.
- 1.1.10. "Established Drainage Pattern" means the drainage pattern that exists at the time the overall grading of any property is completed and shall include any established drainage patterns shown on any plans approved by the Design Review Committee.
- 1.1.11. "Existing Improvements" means any existing exterior improvements, structures, and any appurtenances thereto or components thereof, of every type or kind, and all existing landscaping features, including, but not limited to, buildings, outbuildings, patios, patio covers, awnings, solar collectors, painting or other finish materials on any visible structure, additions, walkways, sprinkler systems, garages, driveways, fences, screening walls, retaining

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walls, basketball hoops and backboards, stairs, decks, hedges, windbreaks, plantings, trees, shrubs, flowers, vegetables, sod, gravel, bark, exterior light fixtures, poles, signs, exterior tanks and exterior air conditioning, cooling and heating equipment.

- 1.1.12. "Final Development Plan" means the Final Development Plans for the Potomac Farms Subdivision, as approved by and on file with the City.
- 1.1.13. "Final Plat" means the Final Plat of the Potomac Farms Filing No 1 Subdivision plat map filed with the Adams County Clerk & Recorder's Office on August 23, 2001 and Potomac Farms Filing No 2 Subdivision plat map filed with the Adams County Clerk & Recorder's Office on May 23, 2002.
- 1.1.14. "Home" means a residence that has been built, or is to be built, on a Lot that is in the Community.
- 1.1.15. "Owner" means any person who owns a Lot, but does not include a person having an interest in a Lot solely as security for an obligation.
- 1.1.16. 'Lot' means each platted lot shown upon the Final Plat and any other recorded subdivision map of the real property in the Community, or any other real property as may hereafter be brought within the jurisdiction of the District, and on which a Home is located or is planned to be constructed or located.
- 1.1.17. "Proposed Improvement" means any Improvement that has not yet been constructed, installed, or erected and includes demolition or removal of any building, or other structure and also includes any change of the exterior appearance of a Home or other Existing Improvement.
- 1.1.18. "Rear Yard Perimeter Fence" means the fence which encloses the rear yard area of a Lot, whether such fence is a rear/side yard privacy fence described in Section 2.39.3.1 of these Design Guidelines, an open rail fence described Section 2.39.3.2 of these Design Guidelines, or a combination of both.
- 1.1.19. "Review Request Form" means the form provided by the District for use in submitting requests for approval of Proposed Improvements to the Committee.

**1.2. DESIGN GUIDELINES FOR THE DESIGN REVIEW COMMITTEE.** The Declaration requires prior approval by the Committee or its designated representative before any Proposed Improvement is constructed, erected, placed, or altered. These Design Guidelines establish certain acceptable designs for different types of Proposed Improvements. These Design Guidelines apply to residential property in the Community and are intended to assist the Owners. Prior to installation or commencement of construction, all Proposed Improvements (except those constructed in accordance with the pre-approved standards set forth herein) must be submitted to the Committee for review and approval.

**1.3. CONTENT OF DESIGN GUIDELINES.** In addition to the introductory material, these Design Guidelines contain:



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- 1.3.1. A list of specific types of Proposed Improvements which Owners might wish to make, with specific information as to each of these types of Proposed Improvements;
- 1.3.2. A summary of procedures for obtaining approval from the Committee; and
- 1.3.3. Figures showing approved designs for fences.

**1.4. EFFECT OF THE DECLARATION, FINAL DEVELOPMENT PLAN AND FINAL PLAT.** THE COMMUNITY AND ALL EXISTING IMPROVEMENTS AND PROPOSED IMPROVEMENTS THEREIN ARE SUBJECT TO THE PROVISIONS AND REQUIREMENTS OF THE DECLARATION, THE FINAL DEVELOPMENT PLAN AND THE FINAL PLAT. THESE DESIGN GUIDELINES ARE FOR CLARIFICATION AND IMPLEMENTATION OF THE TERMS AND PROVISIONS OF THE FOREGOING DOCUMENTS AND SHALL NOT SUPERSEDE THE TERMS AND PROVISIONS OF ANY OF SUCH DOCUMENTS.

**1.5. EFFECT OF OTHER GOVERNMENTAL REGULATIONS.** Use of any property in the Community and any Existing Improvements and Proposed Improvements must comply with applicable building codes and other governmental requirements and/or regulations. Approval and permits from the City should be obtained when required. Approval by the Committee will not constitute assurance that Existing Improvements or Proposed Improvements comply with applicable governmental requirements and regulations, or that a permit or approvals are not also required from applicable governmental bodies. For information about the City's requirements, Owners should write or call the City's Building and Inspection Department.

**1.6. INTERFERENCE WITH UTILITIES.** In making Proposed Improvements, Owners are responsible for locating all water, sewer, gas, electric, telephone, cable television, irrigation lines, and other utility lines and easements. Owners should not make any Proposed Improvements over any such easements without the consent of the utility Involved, and Owners will be responsible for any damage to utility lines.

**1.7. GOAL OF DESIGN GUIDELINES.** Compliance with these Design Guidelines and the terms and provisions of the Declaration, the Final Development Plan and the Final Plat will help preserve the inherent architectural and aesthetic quality of the Community. It is important that the Proposed Improvements be made in harmony with and not detrimental to the rest of the Community. A spirit of cooperation with the Committee and neighbors will go far in creating an optimum environment which will benefit the Owners. By following these Design Guidelines and obtaining approvals for Proposed Improvements from the Committee, Owners will be protecting their financial investment and will help to promote Proposed Improvements that are compatible with the other Homes and property within the Community.

**1.8. INTREPRETATION OF THE DESIGN GUIDELINES.** The Committee shall interpret these Design Guidelines.

**1.9. ENFORCEMENT OF DECLARATION AND DESIGN GUIDELINES.** The Committee shall have primary responsibility for the enforcement of the architectural requirements of the Declaration and these Design Guidelines. The Committee will investigate written complaints of Owners for violations of the architectural requirements of the Declaration or these Design Guidelines, if such

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complaints are dated and signed by the Owner making the complaint. If a violation is found, the Committee shall notify the Owner whose property is in violation, in writing, requesting that appropriate action be taken to achieve compliance. If such Owner does not bring his property into compliance with the Declaration and these Design Guidelines within thirty (30) days, or the time specified by the notice, the Committee will request that the violation be referred to the Board for enforcement action.

**1.10. ADVISING OF NEIGHBORS.** It is suggested that Owners advise neighbors prior to submitting forms for Proposed Improvements. The Committee may, in its sole discretion, request adjacent neighbor input.

**1.11. VIOLATION HISTORY.** The Committee will consider the Owner's violation history and current open violations when determining whether to approve the Proposed Improvement. The Committee may deny any Proposed Improvement on the basis that (1) the Owner has failed to adequately address violations that are currently open and/or (2) the Owner has a history of repeatedly failing to adequately maintain other improvements on his/her Property.

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### 2. SPECIFIC TYPES OF IMPROVEMENTS/DESIGN GUIDELINES.

The following alphabetical list covers a wide variety of specific types of Proposed Improvements which Owners and builders typically consider installing. Pertinent information is given as to each. UNLESS OTHERWISE SPECIFICALLY STATED, DRAWINGS OR PLANS FOR A PROPOSED IMPROVEMENT SHALL BE SUBMITTED TO THE COMMITTEE, AND THE WRITTEN APPROVAL OF THE COMMITTEE SHALL BE OBTAINED BEFORE THE PROPOSED IMPROVEMENT IS MADE. Proposed Improvements that are not listed will also require Committee approval. The architectural style of a Proposed Improvement shall be consistent with the style and character of the Home and other residences built in the same general area of the Community. The Committee in its sole discretion shall determine such consistency.

**2.1. ADDITIONS AND EXPANSIONS.** Committee approval is required. Owners must use a Design Review Request Form when submitting a request for an addition or expansion. Additions or expansions to the Home will require submission of detailed plans and specifications, including description of materials to be used and plan and elevation drawings showing dimensions, setbacks/roof slopes, etc. Additions and expansions must be of the same architectural style and color as that of the Home. ALL WORK IS SUBJECT TO OBTAINING THE REQUIRED PERMITS FROM THE CITY.

**2.2. ADDRESS NUMBERS.** Address labels shall be maintained on the exterior of each Residential Lot and visible from the street. Committee approval is not required if the size of each number is no larger than 6" in height or width and is a color compatible with the home. Only the four or five numerical numbers of the address are permitted. Address labels shall be maintained in good repair (e.g. no missing or damaged numbers).

**2.3. ADVERTISEMENTS.** See Signs.

**2.4. AIR CONDITIONING EQUIPMENT.** Committee approval is required. Only air conditioning equipment (including swamp coolers) which are ground-mounted and installed in the rear yard area or rear half of the house in the side yard area (e.g. behind a wing fence) will be approved. The foregoing should be installed in such a way that any noise to adjacent Homes is minimized.

Installation of air conditioning equipment (including swamp coolers) on the roof or in the exterior walls of a Home will not be permitted. Committee approval is required to install window air conditioning units. Committee-approved window units may only be installed between May 1st and September 30th each year.

Penetration of siding for installation of cooling devices is not permitted. Additionally, any lines, cables, hoses, etc., appurtenant to such air conditioning equipment shall be weatherproof, covered, flush with the walls (running lines around the exterior of roof eaves is prohibited) and secured to the side of the Home so as to appear as part of the original construction of the Home. Such covers must

**AC Line Cover Examples**



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be painted the same color as the body of the house. (See examples provided to the right.)

**2.5. ANIMALS.** No animals, livestock, poultry, or bees of any kind shall be raised, bred or kept on any Lot or within the Community, except domesticated birds or fish and other small domestic animals permanently confined indoors will be allowed. No other animals will be permitted within the Community, except that an Owner may keep domesticated animals (e.g., cats and dogs) within the Community, provided that the animals are fenced or otherwise effectively restrained at all times within the boundaries of a Lot, and provided that they are not kept, bred, or maintained for any commercial purpose, nor shall such animals create a nuisance.

**2.6. ANTENNAS.** DSS dishes less than 39" in diameter are permitted and should be placed in the side or rear of the home at ground level. Roof-mounted and wall-mounted locations are discouraged. Pursuant to Section 3.1.5 of the Declaration, the placement of exterior radio antennas, television antennas or other antennas must first be approved in writing by the Committee.

**2.7. ASTRO-TURF.** Neither Astro-turf nor any other floor covering shall be used on any front porch or any balcony, or any other area of a Lot that is visible from any streets or any Common Areas. Astro-turf used for backyard landscaping requires Committee approval.

**2.8. AWNINGS.** See Overhangs/Awnings - Cloth or Canvas.

**2.9. BALCONIES.** See Decks.

**2.10. BARBEQUE GRILLS.** Barbeque grills are restricted to use and storage in the backyard.

**2.11. BASKETBALL HOOPS - PORTABLE.** Approval is not required provided the following guidelines are met. (1) For safety and access reasons, hoops must be kept BEHIND THE SIDEWALK at all times, and are not allowed to be placed in the street. (2) Portable hoops are allowed in the driveways from April 1 through October 31. From November 1 through March 30, portable hoops must be stored away from view unless being used in actual play.

**2.12. BASKETBALL HOOPS – GARAGE MOUNTED AND POLE MOUNTED.** Approval is required prior to installation. Basketball hoops shall conform to the following:

- Pole-mounted hoops must be placed within 2 feet of the side of the driveway, and minimum 8 feet behind sidewalk,
- Pole-mounted hoops shall be placed on a black pole or pole painted to match the home. Maximum height of hoop is 10 feet.
- For pole-mounted hoops, recommended installation is a removable pole with a ground sleeve no further than 4" above grade.
- Backboard must be white, clear or painted to match the surface on which it is mounted and kept in good repair. Net must be neutral in color and kept in good repair.

From November 1 through March 30, pole-mounted hoops must be stored away from view unless being used in actual play.

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**2.13. BASKETBALL HOOPS – BACKYARD.** Approval is required prior to installation. All requests will be evaluated on placement and circumstances of each backyard, as well as court area surface, visual screening, and proximity to neighbors. All sports courts must not be within 6 feet of any property line. See also Play Equipment.

**2.14. BASKETBALL HOOPS – MAINTENANCE.** Backboards and poles must be well maintained and free from visible damage (e.g. broken backboard, torn nets, worn/chipped paint).

**2.15. BIRDBATHS.** Committee approval is not required for birdbaths that do not exceed three (3) feet in height or width (including any pedestal) and placed in the rear yard area of a Lot. Installation of birdbaths in the front yard areas of a Lot requires Committee approval.

**2.16. BIRDHOUSES AND BIRD FEEDERS.** Committee approval is not required for birdhouses and bird feeders which do not exceed 1ft x 2ft and are aesthetically compatible with the exterior of the Home. Committee approval is not required if the same are installed in the rear yard area of a Lot. No birdhouse or bird feeder may be installed within six (6) feet of the ground level of the Lot. Installation of birdhouses and bird feeders in the front yard areas of a Lot requires Committee approval.

**2.17. BOATS.** See Vehicles.

**2.18. BUG ZAPPERS.** Committee approval of bug zappers is required.

**2.19. BUILDING HEIGHT CHANGES.** Requires Committee review and approval and must comply with applicable building codes and zoning regulations established by the City.

**2.20. BUILDING & LANDSCAPE MATERIALS AND EQUIPMENT.** Tools and equipment (e.g. lawnmowers, blowers, rakes, snow shovels, etc) must be stored away from view when not in use.

**2.21. CABLE TV WIRING/EXTERNAL WIRING.** Cable lines or other external wiring running from the cable box to the Home shall be properly buried. Cable lines must run parallel with all siding and trim boards when possible and must be painted to match the existing color(s) of the residence. Cable lines that must run vertical to the siding shall be attached in a neat and orderly fashion to the Home. See also "Satellite Dishes".

**2.22. CAMPERS.** See Vehicles.

**2.23. CLOTHESLINES AND HANGERS.** Only retractable outdoor clotheslines or hangers may be installed on a Lot. Clothing must be promptly removed from lines when dry. Clotheslines must be retracted when not in use.

**2.24. CLOTH OR CANVAS OVERHANGS.** See Overhangs/Awnings - Cloth or Canvas.

**2.25. COMPOSTING.** Committee approval is required. Composting containers must not be immediately visible to adjacent properties and must not emit any offensive odors. Underground composting is not permitted.

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**2.26. CORNER VISIBILITY.** Compliance with the City’s intersection sight distance criteria is required. The visual clearance triangle for each corner lot is measured as 20 feet either direction from the intersecting point of each sidewalk. Specifically, corner lots must comply with the following:

- Trees in the tree lawn shall not be no closer than 20 feet from a street intersection;
- Trees in the front yard are permitted to encroach on the visual clearance triangle provided that the lowest branch is at least 6 feet from the ground; and
- Plants and other landscape elements within the visual clearance triangle shall not be taller than 24 inches.

**2.27. DECKS.** Approval is required prior to installation. Decks must be wood or wood-look material. Wood decks may maintain their natural color, be painted a color that is compatible with the color scheme of the home or sealed with a clear sealant. Wood-look materials must also be a color compatible with the color scheme of the home. Decks must appear to be an integral part of the Home, and, in general, no part of the stairs or landings will be allowed to extend into the side property area beyond the back corners of the home.

The Committee may require that significant open areas under decks be closed from view or stepped to conform more closely to the existing grade. Decks must be located so as not to obstruct or significantly diminish the view of nearby property owners or create an “unreasonable” level of noise for adjacent property owners.

2.27.1 Maintenance. Decks shall be maintained in good condition and free from significant damage and visible wear and tear (e.g. dents, chipped or peeling paint, faded paint, stains, missing or warped wood, etc.).

**2.28. DOG HOUSES.** Doghouses are restricted to a maximum ground area of 4ft x 4ft, a maximum height of 4ft and will not be permitted on any Lot unless located in the rear yard area and the Rear Yard Perimeter Fence has been installed. Doghouses must be installed at ground level and shall not be visible above the Rear Yard Perimeter Fence.

**2.29. DOG RUNS.** Dog runs will not be permitted on any lot unless located in the rear yard area and the Rear Yard Perimeter Fence has been installed. Dog runs on lots adjacent to Common Area shall not be located within ten (10) feet of any Open Rail Fencing (as defined in Section 2.39 hereof) which is part of the Rear Yard Perimeter Fence nor in any side yard area adjacent to Common Area. Mature landscape screening which screens the dog run from view from the Common Area is required. Dog runs on Lots not adjacent to Common Areas must be constructed of wood fencing. The Committee may require the Owner to obtain neighbor approval for dog runs constructed next to a fence line bordering the neighbor’s Lot. Dog runs shall not exceed 300 square feet and a maximum height of 5 feet.

**2.30. DOORS.** Committee approval is not required for the replacement or repainting of the existing main entrance door(s) to a Home if the material and color exactly match those existing on the Home. All doors shall be maintained in good visible condition and free faded paint, stains or physical damage.

- a) Entry Doors: Committee approval is required before replacing or repainting the entry door. Must be stained or painted a color that is compatible with trim and siding color of home. Entry Doors may be windowless.

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- b) Storm and Screen Doors: Committee approval is required before replacing or installing storm and screen doors. Must be white, black, bronze, or match existing color of home. Scrollwork and filigree is discouraged.
- c) Security Doors: All security doors and window guards/bars must be approved by the Committee prior to installation.
- d) Garage Doors: Garage doors must be painted the same color as the Home's base color, trim color or accent color. Garage doors may be windowless and must be a 4 panel roll-up style.
- e) Door Maintenance: All exterior doors and door frames shall be maintained in good condition and free from significant damage and visible wear and tear (e.g. dents, chipped or peeling paint, faded paint, stains, broken glass, missing window panes, missing or broken door handles, etc.).

### 2.31. DRAINAGE.

**2.31.1. Maintenance of Drainage.** Each Lot Owner shall maintain the grading upon his Lot at the slope and pitch fixed by the final grading thereof, including landscaping and maintenance of the slopes. Each Lot Owner agrees, for themselves and their successors and assigns, that they will not in any way interfere with the Established Drainage Pattern over any real property which they have a duty to maintain, from adjoining or other real property. In the event that it is necessary or desirable to change the established drainage over any Lot which a Lot Owner has a duty to maintain, then the party responsible for the maintenance of such real property shall submit a Design Review Request Form to the Committee for its review and approval.

**2.31.2. Recommendations for Landscaping Around Foundations and Slabs.** It is recommended that Owners, in landscaping their Lot, avoid planting flower beds (especially annuals), vegetable gardens or other landscaping which requires regular watering, within five (5) feet of the foundation of such Owner's Home or any slab on the lot. If evergreen shrubbery is located within five (5) feet of the foundation or any slab, then the Owner of the Lot should water such shrubbery by "controlled hand-watering," and should avoid excessive watering. Further, piping and heads for sprinkler systems should not be installed within five (5) feet of the foundation or any slabs.

**2.32. DRIVEWAYS.** Modifications to the original driveway (including seal coating or otherwise painting the driveway) require Committee approval and must be aesthetically pleasing and in conformance with the overall look of the Community. Modifications or additions to the original driveway requires Committee approval and may not exceed two (2) feet in width and must be constructed with materials identical to the existing driveway. Any driveway extension shall not encroach into existing easements or upon the adjacent property line and shall not alter or interfere with the Existing Drainage. Asphalt extensions are prohibited. Repair or replacement of an existing driveway or sidewalk also requires Committee approval.

**2.32.1 Driveway/Sidewalk Maintenance.** Driveways and sidewalks should be maintained free from weeds and grass and stain-free. Owners are also responsible for removal of weeds and



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grasses on street curbs, gutters and sidewalks bordering their lots. Driveways and driveway extensions should be maintained free from significant damage including but not limited to the following: cracked or crumbling concrete; broken, loose or missing paver stones/bricks used in driveway extensions; collapsed concrete pads due to ground settling or underground broken water pipes; surface flaking and scaling due to freeze-thaw disintegration. Any graffiti on the driveway or sidewalks must be promptly removed by the Owner.

**2.33. EVAPORATIVE COOLERS.** See Air Conditioning Equipment

**2.34. EXTERIOR LIGHTING.** See Lights and Lighting.

**2.35. EXTERIOR MATERIALS.** The only acceptable exterior building materials are those which are of the same standard or higher than those used in the original construction of the Home, as well as brick, stone, or other harmonious materials utilized for accent or Home details as approved by the Committee.

### **2.36. FENCES.**

**2.36.1. General.** Owners must install and maintain fencing around the backyard lot lines. Owners are not required to install wing fences (the fence on either side of the house that faces the street and extends from the house to the property line). All such fencing is subject to the design restrictions provided throughout the rest of this section. No more than one fence line can be installed on any property line (i.e. double fencing is not allowed). Consequently, all fences (with the exception of fences bordering District-owned/maintained land) are jointly owned by the owners of both Lots.

**2.36.2. District-Owned Fencing.** District-owned fences, walls and columns (individually and collectively "Fences") located along or abutting Owner Lot lines or public or private streets may not be removed, replaced, stained or painted a different color or altered, including adding a gate, without approval of the Committee. If any District Fences which are located upon an Owner's Lot are damaged or destroyed by Owner or Owner's agents, guests, or tenants, the Owner shall repair and recondition the same at the Owner's expense.

**2.36.3. Drainage.** It is important to remember that certain drainage patterns may exist along or under Fence locations. When constructing a Fence, be sure to provide for a 2" to 3" space between the bottom of the Fence and the ground elevation so as not to block these drainage patterns.

**2.36.4. Design.** Fences, other than those described below, may not be constructed without Committee approval. Removal of fences also requires Committee approval. Front yard fencing is not permitted. All Fences must adhere to any sight triangle regulations of the City. Committee approval is not required for rear yard fences constructed in accordance with the following requirements:

**2.36.4.1. Rear/Side Yard Privacy Fences.** Fences shall be installed on the rear yard property lines of each lot. Rear/Side Yard Privacy Fences must be constructed with the 2'x 4' framing and 4' x 4' posts on the constructing Owner's lot and fence height shall not



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exceed 6 feet. Side Yard Privacy Fences may not extend toward the front of a lot past the wing fence.

- 2.36.4.2. Open Rail Fences. All rear/side yard fences adjacent to Common Areas shall be installed on the property lines between the lot and the Common Area and shall be constructed in accordance with the design specifications provided in **Exhibit B**. Wire mesh may be installed on the interior (the side of the fence which closest to the Home) of an Open Rail Fence so long as such wire mesh is not higher than the top rail of said Fence. Open rail fencing shall be 3 feet in height.
- 2.36.4.3. Shadowbox Fencing. Shadowbox style fencing shall be 5 feet tall and shall be constructed in accordance with the design specifications provided in **Exhibit C**. Pickets must be 1in x 4in x 5ft. Wire mesh may be installed on the interior (the side of the fence which closest to the Home) of the fencing so long as such wire mesh is not higher than the top rail of said Fence.
- 2.36.4.4. Open Picket Fencing. Open Picket style fencing shall be 5 feet tall and shall be constructed in accordance with the design specifications provided in **Exhibit C**. Spacing between pickets shall be between 1 ½ inches and 2 inches wide. Pickets must be 1in x 4in x 5ft. Wire mesh may be installed on the interior (the side of the fence which closest to the Home) of the fencing so long as such wire mesh is not higher than the top rail of said Fence.
- 2.36.4.5. Wing Fencing: Wing fences shall be set back from the front face of the house. Prior to installing or moving any wing fences, Committee approval must be obtained regarding the proposed set-back distance of any wing fence.
- 2.36.4.6. Material and Color: All perimeter fencing shall be constructed of wood. Vinyl, composite, stone or brick perimeter fencing is prohibited. Owners are not required to stain their fences. However, once fences are stained, Owners must maintain the fence stain color in good condition (free from peeling and fading). Fences may not be painted. Approved fence stain colors are provided in **Exhibit E**. If the Owner wants to stain the fence using a color not listed in **Exhibit E**, Committee approval is required.
- 2.36.5. **Corner Lot Fencing**. Fences on lots adjacent to public or private streets shall not be constructed within the rights-of-way or side yard easements adjacent to such public or private streets and, therefore, must be set back a minimum of four feet from the sidewalk. Fencing bordering streets (that is not District-owned fencing) must comply with one of the following two fence designs: (1) Shadowbox fencing or (3) Open picket fencing (see **Exhibit C**).
- 2.36.6. **Double Fences**. Two separate fence structures (i.e. separate posts and rails) bordering the same property line is not permitted. A two-sided privacy fence requires Committee approval. Pickets must share the same posts and side rails. Rear yard privacy fences may be constructed as a single row of posts with pickets on both sides..

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**2.36.7. Fences for Screening Located Within Lot Line.** Must be an integral part of the landscape design.

**2.36.8. Gates.** Committee approval is required before installing any gates in any fence lines.

**2.36.9. Wire Fencing.** Except for the wire mesh approved for Open Rail Fencing and chain-link dog runs approved by the Committee and constructed in accordance with Section 2.32 hereof, no plastic or metal chicken wire, hog wire, barbed wire, chain links, or strand wire will be allowed unless committee approval is obtained.

**2.36.10. Drainage.** Fencing should be installed with a 2-3" gap at the bottom to allow for proper drainage into and through swales.

**2.36.11. Maintenance Responsibility.** All fence lines shall be maintained free from significant damage, warping and stains (including graffiti). Fence posts shall be properly anchored in the ground. Missing or damaged fence pickets, caps and runner boards shall be promptly replaced. Land grading shall be adequately maintained and managed to ensure dirt and sand does not build up against the fence line (causing long-term warping and damage to the fence line).

**2.37. FIREWOOD STORAGE.** See Wood Storage.

**2.38. FLAGPOLES.** Committee approval is not required for flagpoles mounted to a Home, provided that they are either (1) temporary in nature and are only displayed on holidays or in celebration of specific events or (2) permanent in nature displaying the flag of the U.S., Colorado State or U.S. military service branch. Committee approval is required for the installation of free-standing flag poles - such poles shall not exceed the ground floor roof level and any flag shall not exceed six (6) feet in length. Committee approval is required for the display of more than three flags on a Lot. All displayed flags shall be well maintained and free from visible wear and tear.

**2.39. GARBAGE CONTAINERS AND STORAGE AREAS.** See Trash Containers.

**2.40. GARDENS - FLOWER OR VEGETABLE.** Committee approval is required for flower or vegetable gardens in front yard. Gardens must ensure that they do not alter the Existing Drainage. Vegetable gardens in the front yard must be in a raised garden bed(s) and shall be sized to be complimentary to the plot of the property, not to exceed 16 square feet or 20% of the front yard, whichever is greater. Galvanized steel or other metal is not an acceptable raised bed material. Vegetation cannot exceed 3' in height. Stalk plants (corn, etc), vine plants (pumpkin, squash, etc) and climbing plants (pole beans, morning glory) are not allowed in front yard gardens. All gardens must be properly maintained in a neat, weed-free condition and must be properly maintained in an aesthetically pleasing manner. Vegetable gardens should be covered in mulch if it is not in use and any and all dead plants and weeds should be removed from the garden area.

**2.41. GAZEBOS.** Committee approval is required. No more than one gazebo per property. Any gazebo must be an integral part of the landscape plan and must not obstruct any adjacent Owner's view. All gazebos must be of a design and constructed with materials and colors that are aesthetically

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compatible with the Home. If the structure is made of wood, it shall be painted, stained, or sealed in the same manner as a deck. If made of other materials, it must be powder coated.

**2.42. GRADING AND GRADE CHANGES.** See Drainage.

**2.43. GRAFFITI.** All graffiti must be removed immediately, and surfaces must be restored to the original color and condition.

**2.44. GREENHOUSES AND GREENHOUSE WINDOWS.** Greenhouses will not be permitted. No greenhouse windows will be permitted on any Lot unless located on the rear of the Home and approved by the Committee. Generally, greenhouse windows will be discouraged due to the extensive maintenance required. Approvals of any greenhouse windows will be based upon, but not limited to, the general aesthetics, quality and permanence of the materials used.

**2.45. HOT TUBS AND JACUZZIS.** Committee approval is required. The equipment must be designed as part of a deck or patio area and installed in such a way that it is not immediately visible to or will adversely impact neighbors by noise, drainage, or other such problems. The equipment will only be permitted in back yards at ground level.

**2.46. HOME NUMBERS.** See Address Numbers.

**2.47. HOUSE EXTERIOR MAINTENANCE.** See also Additions and Expansions, Address Numbers, Doors, Painting, Patio Covers, Rain Gutters/Downspouts, Roofs, Rooftop Equipment, Shutters, Siding and Windows.

2.47.1 Maintenance. Owners shall ensure the Home exterior—including but not limited to windows, windowsills, window boxes, doors, porches, garage doors and exterior lights—is well maintained and reasonably free from stains, dirt, mud, cobwebs, bird excrement and plant matter. Stone facades, brick facades, window sills and window boxes on the Home exterior shall be maintained in good repair and damaged or missing bricks, stones or wood shall be promptly replaced. Graffiti on any portion of the Home exterior—or any other structure located on the Lot—shall be promptly removed by the Owner.

**2.48. IRRIGATION SYSTEMS.** The installation of manual or automatic irrigation systems will not require approval of the Committee. Such systems should not be installed within the first five feet of the foundation.

**2.49. JACUZZI.** See Hot Tubs and Jacuzzis.

**2.50. JUNK/INOPERABLE VEHICLES.** Storage in any area of the lot other than the garage is not permitted. See also Vehicles.

**2.51. LANDSCAPE AND MAINTENANCE.** Front and backyards must be landscaped. All Landscaping Improvements require Committee approval and must (1) not alter, modify or change the Established Drainage of a Lot and/or any surrounding Lots, Common Area, (2) comply with the provisions of this Section and (3) comply with all landscaping requirements of the City (e.g. front yard

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landscape design must incorporate at least 6 bushes/shrubs, one tree every 40 feet in the tree lawn plus one tree in the front yard). Turf, rockbeds, flowerbeds, patios, sidewalks, sandboxes, dog runs, and gardens all count as landscaped areas and require Committee approval. All plants and trees are restricted to those plants and trees listed in [Exhibit F](#).

2.51.1. Gravel, rock and/or soil piles left in front or on visible side yards of Lots, in the street, or on the driveway shall be left no longer than a period of thirty (30) days. Leaving a gravel, rock and/or soil pile in a street is not suggested. Contact the City for more specific information.

2.51.2. Delivery and placement of landscape materials shall not damage any Common Area. Delivery trucks are not allowed to cross the Common Area (to avoid sprinkler and landscape damage). If this regulation is violated and damage to the Common Area results, the Owner will be held financially responsible for repairing the damage caused by the Owner or the Owner's agent, guests or tenants.

2.51.3. Sprinkler System. A sprinkler system shall be installed and maintained in good working condition in the front yard and tree lawn areas.

2.51.3.a Prohibited Plants. The following types of plants are prohibited for use in any landscaping on or around the Lot: Marijuana and plants classified as “weeds”, which includes all species of dandelions, oxalis, bind weed puncture vine and all weeds listed on the Colorado State listed Noxious Weed list as published by the Colorado State University CoOp Extension.

2.51.4 Trees. Committee approval is required before a tree can be installed in the front or back yard.

2.51.4.1 Pine Trees. Pine trees in the front yard must be planted the “Minimum Pine Tree Set-Back Distance” from a neighboring property line. The crown of a typical mature pine tree in the front yard must not be within 5 feet of a neighboring property line (the “Minimum Pine Tree Set-Back Distance”).

2.51.4.2 Backyard Tree Set-Back Distance. Trees in the backyard must not be planted within 5 feet of any property line. Trees planted closer than the minimum set-back distance may cause damage to fence lines as the tree matures and sprinkler lines on neighboring properties.

2.51.5 Tree Lawn. Tree lawns shall be landscaped with sod and a permanent, underground irrigation system. A minimum of one tree (and no more than two trees) must be maintained in the tree lawn area in front of each House. Trees in the tree lawn must not be spaced any closer than 20 feet apart (measured from the trunk of each tree). For corner lots, a minimum of ONE tree (and no more than THREE trees) must be maintained in the tree lawn area on the side of the house. An exception to the minimum tree requirement is automatically granted in cases where a City-installed traffic sign exists in the tree lawn area (trees cannot be within 20 feet of a traffic sign). The minimum tree size is 1.5-inch caliper trunk and the tree must be comprised of no more than one trunk. If necessary, trees in the tree lawn must be staked to ensure such trees are growing straight. Trees in the tree lawn area are restricted to the following types of trees approved by the Committee (and the City):

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- Deciduous Shade Trees (Drought Tolerant)
  - Columnar Norway Maple (*Acer platanoides* “Columnar”)
  - Prairie Pride Hackberry (*Celtis occidentalis* “Prairie Pride”)
  - Marshall Seedless Ash (*Fraxinus pennsylvanica* “Marshall Seedless”)
  - Patmore Green Ash (*Fraxinus pennsylvanica* “Patmore”)
  - Green Ash (*Fraxinus pennsylvanica*)
  - Shademaster Honeylocust (*Gleditsia triacanthos* “PNI 2835”)
  - Skyline Honeylocust (*Gleditsia triacanthos* “Skycole”)
  - Kentucky Coffee Tree (*Gymnocladus dioica*)
  - Swamp White Oak (*Quercus bicolor*)
  - English Oak (*Quercus robur*)
  - Pagoda Tree or Scholartree (*Sophora japonica*)
- Deciduous Shade Trees
  - Bur Oak (*Quercus macrocarpa*)
  - Red Oak (*Quercus rubra*)
  - Glenleven Linden (*Tilia cordata* “Glenleven”)
  - Greenspire Linden (*Tilia cordata* “PNI 6025”)
  - Turkish Filbert (*Corylus columnata* Tree Form)
  - Autumn Purple Ash (*Fraxinus americana* “Autumn Purple”)
  - Red Maple (*Acer rubrum*)
- Ornamental Trees
  - Tatarian Maple (*Acer tataricum*- Tree Form)
  - Spring Snow Crabapple (*Malus* “Spring Snow” - Tree Form)
  - Golden Rain Tree (*Koeleria paniculata*)
  - Chanticleer Pear (*Pyrus calleryana* “Chanticleer”)
  - Japanese Tree Lilac (*Syringa reticulata*)
  - Thornless Cockspur Hawthorn (*Crataegus crus-galli inermis* Tree Form)

2.51.6 General Landscape Maintenance: Lawns shall be regularly mowed and edged (along sidewalks and driveways) no less frequently than every 10 days. Rockbeds and lawns must be maintained free from weeds and grass. Lawns, rockbeds, tree rings and planterbeds shall be maintained in a manner compatible with their designed purpose. For example, flowers should be planted in flowerbeds (not in lawns or rockbeds), grass should be maintained only in the lawn area (not in rockbeds, flowerbeds, tree rings).

- i. Animal Waste. Front and back yards shall be maintained free from animal waste.
- ii. Borders. Landscaping borders shall be adequately anchored in the ground and well maintained. Borders shall be installed and maintained between rockbeds, turf and planters.
- iii. Equipment and Materials – Storage. Landscape equipment and materials (e.g. lawn mowers, potting soil, tools, bricks, unused sod, rock piles, sprinkler parts, etc) shall not be stored on or around the Lot exterior. Such items shall only be stored in an enclosed structure (i.e. storage shed or Home) on the Lot.
- iv. Landscaping Irrigation. Lawns, bushes, trees and flowerbeds shall be watered regularly within the limits of any local watering restrictions.

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- v. Landscape Structures. Latticework, trellises, pergolas, fences, retaining and decorative walls and other landscape structures shall be adequately anchored and maintained free from significant damage and wear and tear. Wood structures should be periodically stained or painted.
- vi. Lighting. Landscape lighting shall be properly anchored in the ground. Lighting structures shall be well maintained and free from damage. All wiring shall be located underground. Lighting shall not be directed at neighboring properties or the street.
- vii. Plant Encroachment. Bushes, trees and shrubs shall be trimmed to prevent unreasonable encroachment on adjacent lots.
- viii. Plant Maintenance. Bushes and shrubs shall be regularly trimmed and dead growth shall be removed. Dead plants shall be removed. Infectious or diseased bushes, plants and shrubs shall be promptly treated or removed.
- ix. Planterbed Maintenance. An adequate layer of mulch, bark or rocks shall be maintained to cover weed barriers. Weed barriers shall be maintained and periodically replaced to prevent excessive, reoccurring weed growth in the planterbeds. Excessive bark or other ground cover from the planterbed shall be removed from the adjacent sidewalks, alleyways and streets.
- x. Rockbed Maintenance. Rockbeds shall be maintained free from leaves, grass clippings and other plant debris. An adequate layer of rocks shall be maintained to cover weed barriers. Weed barriers shall be maintained and periodically replaced to prevent excessive, reoccurring weed growth in the rockbeds. Excessive rocks from the rockbeds shall be removed from the adjacent sidewalks, alleyways and streets.
- xi. Sprinkler Systems. Sprinkler systems shall be maintained free from line breaks and broken or damaged heads. Sprinkler heads shall be oriented to prevent direct spraying onto fences or into natural areas where added irrigation may encourage uncontrolled growth.
- xii. Tree Maintenance. Trees must be trimmed up to allow for a minimum 10-foot clearance over sidewalks and 15 feet over streets. Tree suckers should be trimmed at the base and broken tree branches should be removed. Trees where the crown is more than 50% dead must be replaced. Tree stumps must be removed entirely (i.e. tree suckers are not allowed to grow from tree stumps). Grinding a tree stump to below ground level is an acceptable alternative to removing the tree stump. Infectious or diseased trees shall be promptly treated or removed.
- xiii. Turf Maintenance. Bare areas greater than 1 square foot within the turf area shall be repaired and restored back to turf condition.

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### 2.51.7 Xeriscaping. Committee approval is required.

- i. Definition. Per section 38.33.3-103(33) of the Colorado Statutes, xeriscaping is defined as the combined application of the seven principles of (1) landscape planning and design, (2) soil analysis and improvement, (3) hydro zoning of plants, (4) use of practical turf areas, (5) use of mulches, (6) irrigation efficiency, and (7) appropriate maintenance that results in water use efficiency and water-saving practices. Xeriscaping requires using native and adaptive plants that can grow and sustain themselves in dry natural conditions such as those in Colorado.
- ii. Restrictions on District's Ability to Regulate. Section 38.33.3-106.5 of the Colorado Statutes states that notwithstanding any provision in the Declaration or these Guidelines, the District shall not prohibit any Owner's use of xeriscape or drought-tolerant vegetative landscapes to provide ground covering to a Lot. Further, Section 37-60-126(11) of the Colorado Statutes states that any covenant either prohibiting xeriscaping or requiring the primary or exclusive use of turf grass is unenforceable as it is against public policy.
- iii. Authorization to Regulate. Section 38.33.3-106.5 of the Colorado Statutes allows the District to adopt and enforce design and aesthetic guidelines or rules that (1) require drought-tolerant vegetative landscapes or (2) regulate the type, number and placement of drought-tolerant plantings and hardscapes that may be installed on an Owner's property.
- iv. Advantages to Xeriscaping. The advantages of xeriscaping include:
  - Substantial cost savings on water bills;
  - Conservation of diminishing water resources;
  - Prevention of pollution from environmentally harmful run-off;
  - Reduced yard maintenance requirements;
  - Aesthetic beauty and increased homeowner options for plant material.
- v. "Zero-scaping". The Committee makes a distinction between the terms "zero-scaping" and xeriscaping. Although the term zero-scaping does not exist, some owners may have the perception that xeriscaping utilizes large areas of hardscape such as boulders, rocks, gravel or other inorganic materials, with few plantings and little or no natural turf grass. Although this approach is indeed water-conserving, it is devoid of plants and grasses and not in keeping with the aesthetics of the neighborhood. Landscaping in this fashion is not allowed.
- vi. Turf/Sod area. Variances to the requirement for full green lawn (turf) areas up to 80% of available front yard space may be allowed. It is preferred to choose a turf grass that has minimal water requirements. Owners should install turf/sod that will survive in the amount of sun or shade it is situated in.
- vii. Hardscapes. Hardscapes are encouraged to reduce lawn areas. The use of boulders, rocks, gravel, decomposed granite or other inorganic materials, generally referred to

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as hardscape, should not exceed 50% of the landscapable area of the combined front and backyard area. The reasons for limiting the coverage area with hardscape materials is two-fold:

- To avoid “zero-scape” appearances which are devoid of plantings or grasses, a concept incompatible with Potomac Farms aesthetics
- Hardscape materials absorb and store solar energy and ambient heat. This considerable heat is then radiated to the surrounding soil, plantings and turf grasses, often throughout the night, with an adverse, withering impact on ground vegetation and nearby trees.

- viii. Plant Bed Borders. Non-turf planted areas must be bordered to define the xeriphytic area clearly from turfed areas.
- ix. Plant Variety. Owners should avoid planting large numbers of only one plant species, which can create a monoculture susceptible to pest or insect problems. The abundance of Xeriscape plants – trees, shrubs, perennials, groundcovers, vines and grasses – available in the nursery industry make it possible to choose plantings which give color and interest (flowers, fruits, berries, and foliage) year-round. Consequently, xeriscape plans should incorporate no less than four different types of shrubs, perennials, groundcovers, vines and grasses (excluding trees and grass in any remaining turf area).
- x. Weed Barriers. All hardscapes must be lined with weed fabric or other weed-preventing barrier. Weed barriers deteriorate over time diminishing the effectiveness of such weed barriers. Owners are required to monitor the effectiveness of the weed barriers underlying all hardscapes and, if deemed substantially ineffective by the Owners or the Committee, shall replace such weed barriers.
- xi. Maintenance. Xeriscapes require ongoing maintenance and upkeep. Xeriscape owners are responsible for maintaining their xeriscapes using methods similar to those required of other owners having conventional landscaping designs. Each lot must be maintained in a neat, clean and orderly condition by the owner, so as not to be viewed as unkempt. Xeriscaping maintenance includes, but is not limited to:
  - Mowing water-conserving turf such as Buffalo, Zoysia or Bermuda grasses,
  - Employing weed control techniques, such as installing landscaping cloth in plant beds as weed barriers,
  - Pruning and shaping plants,
  - Replacing diseased and dead plantings,
  - Owners should consider converting sprinkler heads to drip irrigation heads in plant beds, or grouping plants into water zones based on similar water needs so that sprinkler systems will not waste water on plants or turf grasses that do not need it.
- xii. Decorative Objects. Hardscapes can include large boulders or other natural materials that are used as a part of the xeriphytic landscape design. The Architectural Review



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Committee prefers to see natural colored rock and masonry or masonry that is compatible with existing landscaping. Water features, Urns, and other man-made ornamentation may be incorporated into the xeriscaping plans which require Committee approval.

- xiii. Pre-planned Water Wise Xeriscaping Plans for Front Yards. See Exhibit **G** for a list of pre-approved Water Wise Xeriscaping Design Plans for the front yard. If a homeowner desires to follow any one of the Plans with certain exceptions or deviations when modifying the front yard landscaping, such landscape plans require ARC pre-approval.

**Safety.** For public safety, no plant with thorns, spines, or sharp edges can be used within 6 feet of the public sidewalk.

**2.52. LATTICEWORK.** Approval is required prior to installation for any latticework or other types of exterior screening. Lattice shall be a minimum of ½" thick, painted or stained to match the deck or the Home, and shall be kept in good condition.


**2.53. LIGHTS AND LIGHTING.** Committee approval is required before installing or replacing lights on the exterior of the Home. Such lights shall be (a) as small in size as is reasonably practicable, (b) directed towards the Home, and (c) does not emit any light that is unreasonably bright or causes unreasonable glare to surrounding Owners.

- Permanent exterior non-colored and colored lighting and “jelly lighting” around homes must be approved by the Committee. All permanent lighting must be flush mounted beneath the eaves with wires and connections between lights hidden inside the soffit. Utilization of color features in lighting shall follow December 25<sup>th</sup> lighting rules (30 days before or after December 25th). White/clear lights are the only lights allowed to be utilized outside of the holiday lighting rules. Blinking or pulsing functions may only be used in compliance with December 25th lighting rules and not create a nuisance for other Owners. Unreasonably bright or strobe lights are prohibited.
- Exterior, non-holiday, colored lighting around, not permanently affixed to, Homes and Landscaping must be approved by the Committee. Use of high wattage spotlights or floodlights is prohibited.
- Use of high wattage spotlights or floodlights is prohibited.
- Committee approval is not required for reasonable temporary holiday lighting that does not create a nuisance to adjacent Owners. Temporary holiday lights (and related decorations) shall be installed no earlier than 30 days before the holiday and removed no later than 30 days after the holiday.
- Walkway lighting must be directed to the ground and shall not exceed 24" in height. One post light, maximum 72" in height and matching house fixtures, is permitted with maximum lighting of 150 watts.

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- Committee approval is required for flood lights or spotlights directed away from the Home. Such lights shall only operate on a motion sensor and be directed towards the ground (as opposed to adjacent residences).

**2.54. MAILBOXES.** Mailboxes must be installed to United States Post Office specifications. All mailboxes require Committee approval unless such mailboxes meet the following design requirements:

<p><b>Mailbox Color:</b> Black or white</p> <p><b>Mailbox Design:</b> Rural</p> <p><b>Post Dimension/Style:</b> 4 feet tall from ground to post’s peak; wood 6in x 6in post</p> <p><b>Maintenance:</b> Mailboxes shall be maintained in good repair. Damaged or faded boxes or posts shall be replaced or repainted/restained. Any graffiti shall be promptly removed by the Owner.</p>	
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**2.55. MINING AND DRILLING.** Not permitted.

**2.56. MOTOR HOMES.** See Vehicles – Parking.

**2.57. NEWSPAPER DELIVERY RECEPTACLES.** Not permitted.

**2.58. OVERHANGS/AWNINGS - CLOTH OR CANVAS.** Committee approval is required. The color must be the same or blend with the exterior of the Home unless otherwise approved by the Committee. Metal or fiberglass awnings are not permitted. In general, awnings, which are retractable and constructed of cloth, are preferred.

**2.59. PAINTING.** Home exteriors shall be periodically painted to prevent a faded or worn appearance. Committee approval is required before the painting of the Home exterior may commence regardless of whether the color combinations are identical to the current color of the Home. Any changes in color and/or color combinations also requires pre-approval from the Committee. See **Exhibit A** for a list of paint schemes compatible with the overall neighborhood color scheme.

- 2.59.1. It is recommended that all Homes be painted on a regular schedule to avoid chipping and peeling. The wood materials used for the house trim (includes the porch railings and posts, trim around the garage and windows) typically causes the paint to fade/peel at a faster rate than the paint applied to the body of the house. Thus, Owners should consider painting the house trim on a more frequent schedule than the body of the house.

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- 2.59.2. Any proposed changes to color and/or color combinations must be different from neighboring Homes. The Committee will not approve submittals without a description of neighbors' paint colors. Failure by the Committee to so inform the Owner requesting such approval shall not be deemed an approval under the Declaration.
- 2.59.3. Outlining the garage door panels in a contrasting color or in a checkerboard design is not permitted.
- 2.59.4. Most Homes have multiple tone paint schemes (e.g., siding color, trim color and accent color for shutters and doors). New colors submitted should, but are not required to, preserve this multiple tone scheme. For example, if the trim was a different color than the doors and shutters originally, it should also be different in the submitted colors.
- 2.59.5. Color selections should identify the paint manufacture and the color codes and names for each color used for the body, trim and accent (or reference the color combination code as listed in the paint book identified as **Exhibit A**).
- 2.59.6. In general, after approval, only those areas that are painted may be repainted and only those areas that are stained may be restained; unpainted surfaces and unstained areas (such as brick) shall remain unpainted and unstained.
- 2.59.7. In general, color combinations selected from the list of Committee-approved exterior paint color combinations (see Exhibit A) are automatically approved on the condition that such color combination also complies with the requirements of sub-sections 2.59.2, 2.59.3, 2.59.4 and 2.59.6.

**2.60. PATIO COVERS.** Committee approval is required. Plans must show the exterior elevation, designate materials and colors, and include dimensions.

**2.61. PATIOS (ENCLOSED).** See Additions and Expansions.

**2.62. PATIOS (OPEN).** Patios which do not exceed the dimensions of the patios originally installed do not require Committee approval. Committee approval is required for all other patios. Patios shall not be located within any easement or setback areas.

**2.63. PAVING.** Committee approval is required for all types of paving, whether for walks, driveways, patio areas or other purposes. Request forms must disclose the color and types of materials proposed (e.g. concrete, brick, flagstones, stepping stones, pre-cast patterned or exposed aggregate concrete pavers).

**2.64. PIPES.** See Utility Equipment.

**2.65. PLAY STRUCTURES AND SPORTS EQUIPMENT.** Committee approval is required. Play structures (including playhouses, swing sets, trampolines and jungle gyms) shall be located in the rear or side yard. The size of play structures will be considered on a case-by-case basis depending on Lot size and proximity to neighbors. The maximum height of the equipment should not exceed twelve (12)

## Potomac Farms Design Guidelines and Standards

feet. In certain cases, the Committee may request written consent be obtained from adjacent neighbors. Play and sports equipment shall be in good working order and free from significant damage (e.g. ripped nets, torn fabric, broken swings, broken slides, damaged wood, faded or peeling paint, bent poles, etc.). Play and sports equipment (including tents, bikes, powered riding toys, hockey nets, etc) shall be moved off of the front or side yards and store away from sight when not in use. Landscaping underneath mobile play structures must continue to be well maintained.

**2.66. POLES.** See Flagpoles, Utility Equipment, Basketball Backboards, etc.

**2.67. PORCHES.** Committee approval is required before changing the design, color or type of materials used in the construction of the front porch including porch railings, posts, stair and porch surface/foundation. Extensions of porch railings along stairs and sidewalks also require Committee approval.

2.67.1 Maintenance. Porches and stairs shall be maintained in good repair. Damaged or deteriorating rails, posts and/or post base shall be replaced. Porch rails, stairs and posts shall be periodically repainted or re-stained to avoid faded or peeling paint. Porch and stair surfaces shall be maintained free from significant stains. Any graffiti shall be promptly removed by the Owner.

2.67.2 Storage. Porches shall not be used as a storage area. Unacceptable items stored on the porch include, but is not limited to, car parts, storage boxes, recyclable materials, trash cans, indoor furniture, newspapers, landscaping materials, gardening equipment, propane tanks, appliances, storage shelves, bookcases, wood piles, cigarette butt containers, and building materials. Only functional and decorative items shall be allowed on and around the porch including chairs, benches, tables, flowerpots, and other furniture suitable for outdoor use. Bikes and one container for children's outdoor toys and play equipment may be stored on the porch.

2.67.3 Coverings/Fans. Curtains, netting, and other enclosure materials are prohibited for all porches. Patio fans (including ceiling fans) shall not be installed on or around street-facing porches. Committee approval is required for patio fans (including ceiling fans) for backyard-facing patios. Roll down/roll up shade screens must be a neutral color and require Committee approval. Shades must be rolled up when not in use. Owners should consider using landscape elements (with Committee approval) such as shade trees to provide additional shade for street-facing porches.

## Potomac Farms Design Guidelines and Standards

**2.68a. RADON SYSTEMS.** Committee approval is required. Emitter pipe must be installed behind the wing fences, must be secured to the side of the house and must be painted to match the body and trim colors over which the pipe overlays.

- 2.68a.1 Maintenance. Radon systems shall be well maintained and reasonably free from significant, visible damage. Damaged emitter pipes shall be promptly replaced or removed.



**2.68. RAIN GUTTERS/DOWNSPOUTS.** Committee approval is required before installing or removing rain gutters or downspouts on the exterior of the Home. Rain gutters and downspouts must match the body color of the Home.

- 2.68.1 Maintenance. Rain gutters and downspouts shall be maintained in good repair. Damaged or missing rain gutters and/or downspouts shall be replaced with like materials of the same design and color.

**2.69. RADIO ANTENNAE.** See Antennas.

**2.70. ROOFS.** Committee approval is required before replacing or modifying the roof on any structure on the Lot. Roof shingles are limited to asphalt and laminate-type shingles and shall be, at the minimum, 25-year composition shingles. Roof vent flashings shall be of a non-reflective finish and properly installed and covered. When submitting a design request form, Owner shall include the color, manufacturer and type of material to be used. Uniformity with existing Homes in the Community is required.

- 2.70.1 Maintenance. Roof shingles and flashing shall be maintained in good repair. Damaged or missing roof shingles and flashing shall be replaced with like materials of the same design and color.

## Potomac Farms Design Guidelines and Standards

**2.71. ROOFTOP EQUIPMENT.** Committee approval is required. Must be painted to blend with the roof and be installed in order to minimize the visibility of the equipment on the roof.

- 2.71.1 Maintenance. Rooftop equipment shall be maintained in good repair. Damaged or deteriorating rooftop equipment shall be replaced with like materials of the same design and color.

**2.72. SAUNAS.** See Additions and Expansions.

**2.73. SEASONAL DECORATIONS.** All seasonal decorations (except for any winter holidays which follow the December holiday lighting guidelines) must be removed within seven (7) days following the holiday or celebration. Consideration of neighbors should be exercised when decorating for any occasion. Decorations inappropriate for young children shall not be visible from the front street.

**2.74. SEWAGE DISPOSAL SYSTEMS.** Not permitted.

**2.75. SHUTTERS (EXTERIOR).** Committee approval is required before installing or removing shutter on the exterior of the Home. Exterior shutters must be the same materials as shutters on other Homes in the Community and painted to match the color scheme of the exterior of the Home, unless otherwise approved by the Committee. Shutters shall be maintained in good condition and free from visible damage, chipping or faded color.

- 2.75.1 Maintenance. Shutters shall be maintained in good repair. Damaged or deteriorating shutters shall be replaced. Shutters shall be periodically repainted to avoid faded or peeling paint. Any graffiti shall be promptly removed by the Owner.

**2.76. SIDEWALK/STAIRS.** Committee approval is required for any alterations to existing sidewalks or stairs or the installation or removal of any sidewalks or stairs on or around the Lot. No changes will be allowed to city owned sidewalks. Sidewalks are not allowed from wing fence to city sidewalk (sidewalk parallel to street). Sidewalk must come out from the wing fence closest to driveway and turn 90 degrees to driveway as close to the home as possible.

- 2.76.1 Snow Removal. Snow shall be removed from the drive way, front yard sidewalk and stairs within 24 hours after the end of a snow storm.

- 2.76.2 Maintenance. Sidewalks and stairs shall be maintained free from weeds and grass and stain-free. Owners are also responsible for removal of weeds and grasses on street curbs and gutters bordering their lots. Sidewalks and stairs should be maintained free from significant damage including but not limited to the following: cracked or crumbling concrete; broken, loose or missing paver stones/bricks used in driveway extensions; collapsed concrete pads due to ground settling or underground broken water pipes; surface flaking and scaling due to freeze-thaw disintegration. Any graffiti on the stairs or sidewalks must be promptly removed by the Owner. The city is responsible to repair/replace sidewalks, not the owner.

- 2.76.3 Slip-and-Fall / Trip Hazards. Owners are responsible for identifying and ensuring slip-and-fall and trip hazards on their respective Lots are adequately addressed. Uneven sidewalks shall be adequately repaired or replaced by the Owner. (Note: Owners should contact the City



## Potomac Farms Design Guidelines and Standards

regarding damaged right-of-way sidewalks in front of the Home.) Leaking sprinklers, sump pumps and other water hazards running across sidewalks shall be adequately remedied by the Owner.

**2.77. SIDING.** Committee approval is required. Siding must be essentially the same as the siding installed by the Declarant or a builder on other Homes in the Community, and must be painted according to standards established in these Design Guidelines (See Painting). Aluminum or steel siding will not be permitted.

2.77.1 Maintenance. Siding shall be maintained in good repair. Damaged, stained or faded siding shall be replaced. Any graffiti shall be promptly removed by the Owner.

**2.78. SIGNS.** Committee approval is not required for temporary signs advertising (1) "For Sale," "Open House" or "For Rent" signs or (2) a current political candidate or election ballot issue. Garage sale signs (other than District-sponsored community garage sale signs) are prohibited. Signs shall not be greater than five (5) square feet in area. Regarding political signs, no more than one sign per lot is permitted per political candidate/ballot issue and political signs must be removed no later than seven days after the Election Day. Garage sale signs must be removed within 24 hours after the garage sale event. Generally, Committee approval will be denied for signs advertising or promoting businesses or religious organizations.

**2.79. SKYLIGHTS.** Committee approval is required. Skylights must be installed as an integral design component of the roof, at the same pitch and angle of the existing roof.

**2.80. SOLAR ENERGY DEVICES.** Committee approval is required. Line voltage wires and conduit from the panels to meter/disconnect must be housed within the roof & house structure. All such devices must be integrated into the existing design of the home, roof mounted and shall be at the same pitch and angle of the existing roof. All solar panel installations are required to include screen barriers on all sides to prevent birds from nesting under the panels. Unless more than 50% of the conduit is screened from view, the conduit running down the side of the house must be painted in the same manner as radon pipes. Conduit must be run through the soffit rather than around the edge of the roof.

2.80.1 Maintenance. Solar panels shall be well maintained and reasonably free from significant, visible damage. Damaged solar panels shall be promptly replaced or removed.

**2.81. SPAS.** See Hot Tubs and Jacuzzis.

**2.82. SPRINKLER SYSTEMS.** See Landscape Maintenance.

**2.83. STATUES.** Committee approval is required for statues that are installed in the front yard area of a Lot and exceed four (4) feet in height.

2.83.1 Maintenance. Statues, bird baths, murals and similar outdoor structures shall be well maintained and reasonably free from significant, visible cosmetic damage.

**2.84. STORAGE.** The Lot exterior (including the front porch, front yard, driveway, backyard, backyard deck and side yard) shall not be used as a storage area. Specifically, appliances, indoor

## Potomac Farms Design Guidelines and Standards

furniture (outdoor furniture exempted), car parts, tools and equipment, landscaping materials, lumber, rock piles, construction materials, storage boxes (except for one container which may be used for children's outdoor toys), bags, pallets, propane tanks. Barbeque grills shall only be stored in the back yard of the Residential Lot.

- 2.84.1 "For Sale" and "Free" Items. Items advertised as "for sale" or "free" shall not be left out on the Residential Lot for more than 48 consecutive hours within a 2-week period of time.

**2.85. STORAGE SHEDS/ACCESSORY BUILDINGS.** Committee approval is required. Approval will be based upon, but not limited to, the following criteria:

- 2.85.1. General Criteria: The sheds must be constructed of wood and the siding, roofing, color, and trim materials must match the materials used on the home, unless approved by the committee. No plastic or PVC sheds are permitted.
- 2.85.2. Size Limitations: Storage Sheds and/or any Accessory Buildings shall be no larger than 100 square feet at the base and shall not be more than 8 feet high measured from the pad. The roof pitch must be complementary to the existing roof on the Home, unless otherwise approved by the Committee.
- 2.85.3. Design Criteria: Siding, roofing, color and trim materials must match the color and materials used on the Home, unless otherwise approved by the Committee.
- 2.85.4. Location Criteria: Storage Sheds and Accessory Buildings must be located in the fenced, rear yard area and must be located behind the home per **Exhibit D**. For Lots where split rail fence lines exist, Storage Sheds and Accessory Buildings must be located on the opposite side of the Lot away from the split rail fence and such Storage Sheds and Accessory Buildings must be screened so as not to be viewed in full from the split rail fence side of the Lot.
- 2.85.5. Property Set-Back Criteria: Storage Sheds and/or Accessory Buildings shall be placed in a location that complies with the minimum setback requirements established by the City. (As of 2018, City ordinances requires a minimum set-back distance of 5 feet from any property line.)
- 2.85.6. Other Limitations: Only one (1) Storage Shed or Accessory Building per Lot is allowed.
- 2.85.7. Committee Discretion: The Committee, in reviewing and approving or denying an application for approval of a Storage Shed or Accessory Building, shall take into consideration Lot size, square footage of the Home, the Existing Grading, fence locations, landscape screenings, etc.
- 2.85.8. Screening Criteria: Vertical landscape materials or other screening may be required to minimize the impact on adjoining properties.
- 2.85.9. Other Restrictions: Other restrictions may also be imposed, based on the Committee's evaluation of the Lot, grade, and visibility from the street or adjoining properties.



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- 2.85.10. Maintenance. Sheds shall be maintained in good condition and free from significant damage and visible wear and tear (e.g. broken glass, missing roof shingles, damaged/inoperable door, graffiti, missing/damaged siding, etc.). Sheds exteriors shall be periodically painted (ARC approval required for color selection) to prevent a faded or worn exterior appearance.

**2.86. STORM DOORS.** See Doors.

**2.87. SUNSHADES.** See Overhangs/Awnings - Cloth or Canvas.

**2.88. SWAMP COOLERS.** See Air Conditioning Equipment

**2.89. SWIMMING POOLS.** Approval is required for all types of swimming pools (except as noted later in this section), whether in-ground or above-ground. Appropriate permits must be obtained from the governing municipality and all safety requirements met. Inflatable or lightweight wading pools and splash pools not exceeding 6 feet in diameter, placed in the back yard, may be used without prior approval.

**2.90. SWINGSETS.** See Play Structures and Sports Equipment

**2.91. TELEVISION ANTENNAS.** See Antennas.

**2.92. TEMPORARY STRUCTURES.** Pursuant to Section 3.1.15 of the Declaration, no structure of a temporary character, including, but not limited to, a house trailer, tent, shack, storage shed, or outbuilding shall be placed or erected upon any Lot; provided, however, that during the actual construction, alteration, repair or remodeling of a structure or other Improvements, necessary temporary structures for storage of materials may be erected and maintained by a Person doing such work. Tents used for recreational use may be erected for no more than 7 consecutive days on a Lot.

**2.93. TRAILERS.** See Vehicles.

**2.94. TRAMPOLINES.** See Play Structures and Sports Equipment. Safety netting or other containment materials may be used provided the total height of the trampoline and netting does not exceed 15 feet from grade level.

**2.95. TRASH CONTAINERS.** Garbage or trash cans or receptacles may be placed outside no earlier than 5:00pm the day prior to garbage or trash pick-up. Trash containers must be picked up and put away by 9:00p.m. the day of collection. Except when temporarily placed at the edge of the street for scheduled collection, all garbage cans and other refuse containers shall be screened from view. Suitable storage areas for trash cans are limited to the following areas: (1) within the garage of the Home and (2) within the fenced rear yard. Trash cans and recycle bins may not be stored on the front porch, driveway or in front of any wing fence.

- 2.95.1 General Policing of Trash Accumulation. Owners are responsible for ensuring their Lots (including front and back yards, driveways, sidewalks and street curbs) are maintained free from accumulation of refuse, garbage, trash, tumbleweeds, cigarette butts, cut grass, shrub

## Potomac Farms Design Guidelines and Standards

or tree clippings, plant waste, compost, metal, bulk materials, scrap, refuse or debris of any kind. Owners are also responsible for ensuring trees (especially in the tree crowns), bushes, antennas and roof vents are maintained free from bags, trash and other floating debris.

- 2.95.2 Newspapers/Advertisements. Owners are prohibited from allowing newspapers, advertisements and similar articles to accumulate on the porch or around the Lot. Such items shall be promptly stored away from sight or deposited in the Owner's recycle cans.
- 2.95.3 Trash Container Limit. No more than 3 trash and/or recycle containers shall be stored within the fenced rear and side yard of each Lot. Additional trash and/or recycle cans may only be stored within the garage, shed or other enclosed structures on the Lot. Temporary storage of additional trash containers, storage bins or dumpsters on or around the Lot requires Committee approval.
- 2.95.4 Trash Bags and Recyclable Materials. Storage of trash in bags on or around the Lot exterior is prohibited. All trash must be stored in trash containers. Recyclable materials shall not be stored on or around the Lot exterior, with the exception of storage in a recycle container (which is subject to the restrictions provided in this section for suitable trash can storage areas).
- 2.95.5 Trash Dumpsters. Trash dumpsters may be placed and stored on a Lot for no more than 14 days unless additional time has been approved by the Committee.
- 2.95.6 Trash Can Screens. Not permitted.

**2.96. TREE HOUSES.** Not permitted.

**2.97. TREE RINGS.** See Landscaping.

**2.98. UNDERDRAINS.** Modification or impeding the flow of drainage is prohibited.

**2.99. UTILITY EQUIPMENT.** Installation of utilities or utility equipment requires Committee approval unless located underground or within an enclosed structure. Pipes, wires, poles, utility meters and other utility facilities must be kept and maintained, to the extent reasonably possible, underground or within an enclosed structure.

**2.100. VANES.** Committee approval is required.

### **2.101. VEHICLES.**

- 2.101.1. Driveway Parking. Vehicles may only be parked on the driveway or within the enclosed garage structure. Vehicles parked in driveways but blocking the public sidewalk right-of-way access is a violation of City parking ordinances.
- 2.101.2. Street Parking. Owners must contact City Police regarding ordinances and restrictions pertaining to parking on the streets. City ordinances restrict how close vehicles parked on the street may be to a driveway, stop sign or fire hydrant. City ordinances also restrict

## Potomac Farms Design Guidelines and Standards

certain types of commercial trucks and trailers from parking on the streets. City parking permits may be required for certain size vehicles.

**2.101.3 Recreation and Commercial Vehicles.** As provided in Section 3.18 of the Declaration, no recreational or commercial vehicles, including but not limited to, trailers of any kind, campers (including camper shells and motor homes), buses, vans, boats or boat accessories, and trucks rated with a payload capacity of no more than 4,000 lbs. and self-contained and other motorized recreational vehicles, all-terrain vehicles, any other vehicle clearly designed or designated by the manufacturer or the owner thereof (through signage or accessories) to be a commercial or recreational vehicle, even though it may be licensed by a state as a passenger vehicle, shall not be parked, placed, stored or maintained anywhere within the Owner's Lot unless such parking, placement, storage or maintenance is within the garage area of any Lot. Notwithstanding the foregoing, a one ton or smaller vehicle commonly known as pickup truck shall not be deemed a commercial vehicle or truck. Further, any of the foregoing vehicles may be parked in the Community for a period not to exceed seventy-two (72) hours per calendar week (Sunday to Saturday) as a temporary expedient for loading, delivery, or emergency.

**2.101.4 Maintenance and Storage.** Vehicle repairs and maintenance may be performed in the driveway but such repairs shall be completed within 24 hours and all related visible signs of such repairs removed and cleaned up around the driveway. Car parts including batteries, bumpers, tires, oil pans, engine parts, body parts, etc. shall not be stored on or around the Lot exterior. Such items shall only be stored in an enclosed structure (i.e. storage shed or Home) on the Lot.

**2.102. VENTS.** See Rooftop Equipment

**2.103. WALLS.** Upon initial installation or major modification to front yard landscaping, any "wall" (including landscaping borders) shall require the approval of the Committee. Where required by the Committee, the Owner shall provide a detailed landscape plan, indicating the size and exposure of the retaining wall, at the time of submission of plans for approval. Owners are liable for their respective Lot drainage and shall not impair adjacent Lot drainage patterns. Retaining walls shall be constructed of Venture or Keystone concrete blocks or an equivalent concrete block that is the same or similar in color to the concrete blocks used to construct existing retaining walls in the Community. Exposed concrete retaining walls are specifically forbidden.

**2.104. WEATHER VANES.** Approval is required prior to installation.

**2.105. WELLS.** Not permitted.

**2.106. WIND TURBINES.** Not permitted.

**2.107. WINDOWS.** Committee approval is required before installing any security window bars, any additional windows on the Home exterior or replacing existing windows with windows of a different design, color or material. Submission of plans and specifications to the Committee shall include a description of the dimensions, materials and color. Mill finish on aluminum windows is specifically prohibited. Replacement windows shall be substantially the same as those initially installed. Reflective glass is not permitted.

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- 2.107.1 Window Tinting. Committee approval is required. Only non-glare or non-reflective finishes will be given consideration.
- 2.107.2. Maintenance. Windows shall be promptly replaced or repaired when damaged. Window screens shall be maintained free from rips, tears, stains or other visible damage.

**2.108. WINDOW COVERINGS.** No aluminum foil, newspaper, reflective film or similar treatment shall be placed on windows or glass doors. Windows that are decorative in nature, such as transoms, side lights, or special accent shapes, are not required to be covered. Blinds and curtains are recommended and, if installed, shall be well maintained and free from visible damage (including rips and tears to drapes and damaged, bent or missing slats on blinds). Window screens shall be well maintained and free from visible damage, rips or stains.

**2.109. WINDOW WELL COVERINGS.** Committee approval is required for window well coverings visible from the street. Generally, pre-fabricated window well coverings are acceptable. Loose materials (including plywood) used to cover window wells is prohibited.

**2.110. WOOD STORAGE.** Wood piles or storage areas shall not be located on any Lot as to be visible from a street, from the ground level of any other Lot or from the Common Area.

## 3. PROCEDURES FOR COMMITTEE APPROVAL.

**3.1. GENERAL.** In a few cases, as indicated in the listing in the proceeding Section 2, a specific type of Proposed Improvement is not permitted under any circumstances. In other instances, a Proposed Improvement is deemed approved if such Proposed Improvement is constructed or installed in accordance with the provisions for approval slated herein. In all other cases, including Proposed Improvements not listed in Section 2 above, advance or prior written approval by the Committee is required before a Proposed Improvement is commenced. This Section of the Design Guidelines explains how such approval can be obtained.

**3.2. DRAWINGS OR PLANS.** Article 4 of the Declaration requires an Owner to submit to the Committee, prior to commencement of work on any Proposed Improvement, descriptions, plot plans, construction plans, specifications and samples of materials and colors, etc., as the Committee shall reasonably request, showing the nature, kind, height, width, length, color, materials and location of the Proposed improvement in the case of major Proposed Improvements, such as room additions, decks, or structural changes, it is recommended that an architect, engineer, and/or draftsman professionally prepare detailed plans of the Proposed Improvement. Simple drawings and descriptions may be sufficient for other improvements. Whether done by the Owner or professionally, the following provisions should be incorporated into the drawings or plans:

- 3.2.1. The drawing or plan should be done to scale, and should depict the property lines of the Lot and the outside boundary lines of the Home as located on the Lot Drawings made on a copy of the plot plan of a Lot are preferred.

## Potomac Farms Design Guidelines and Standards

- 3.2.2. Existing Improvements, in addition to the Home, should be shown on the drawing or plan, and identified or labeled. Such Existing improvements include driveways, walks, decks, trees, bushes, etc.
- 3.2.3. The Proposed Improvements should be shown on the plan and labeled. Either on the plan, or an attachment, there should be a brief description of the Proposed Improvement, including the materials to be used and the colors.
- 3.2.4. The plan or drawing and other materials should show the name of the Owner, and address of the Owner's Lot, as well as an email address and a telephone number where the Owner can be reached during normal working hours.

**3.3. SUBMISSION OF DRAWINGS AND PLANS.** Copies of the Review Request Form and copies of the drawing or plan shall be submitted to the Committee. Plans should be submitted to the Committee in care of the District's management company at the address listed on the Design Review Request Form. The Committee reserves the right to require a copy of any necessary permits issued by the City as a condition of approval.

**3.4. REVIEW FEE.** As of the date of these Design Guidelines, the Committee does not impose a fee for the review of plans. However, any costs incurred by the Committee for review of submittals shall be borne by the Owner and shall be payable prior to final approval. Any reasonable engineering consultant fees or other fees incurred by the Committee and/or District in reviewing any Proposed Improvement will be assessed to the Owner requesting approval of the Proposed Improvement.

**3.5. ACTION BY THE COMMITTEE.** The Committee will meet as required to review plans submitted for approval. The Committee may require submission of additional information or material, and the request will be deemed denied until all required information and materials have been submitted. The Committee will act upon all requests within thirty (30) days after receipt of the Review Request Form or thirty (30) days after receipt of all additional information and materials requested by the Committee, whichever is later, unless the time is extended by mutual agreement. All decisions of the Committee will be reduced to writing.

**3.6. FAILURE OF COMMITTEE TO ACT ON PLANS.** Per section 4.9 of the Declaration document, any request for approval of a proposed Improvement to a Unit shall be deemed approved, unless a request for additional information or materials is transmitted to the Applicant by the Committee within forty-five (45) days after the date of receipt by the Committee of all required materials.

**3.7. VOTE AND APPEAL.** A majority vote of the Committee is required to approve a request for approval pursuant to Article 4 of the Declaration, unless the Committee has appointed a representative to act for it, in which case the decision of such representative shall control. In the event a representative acting on behalf of the Committee decides a request for approval, then any Owner shall have the right to an appeal of such decision to the full Committee, upon a request therefor submitted to the Committee within thirty (30) days after such decision by the Committee's representative.

**3.8. PERFORMANCE OF WORK.** After approval by the Committee, a Proposed Improvement should be accomplished as promptly as possible, in accordance with the approved plans, drawings and

## Potomac Farms Design Guidelines and Standards

descriptions. The work must be completed, in any event, within twelve (12) months after approval by the Committee. Otherwise, the Proposed Improvement must be resubmitted to the Committee for consideration.

**3.9. COMPLAINTS.** All complaints should be in writing and must be dated and signed by the person making such complaint. The Board and the Committee will take all reasonable action to preserve the anonymity of complaining Owners.

**3.10. CONFLICT OF PROVISIONS.** The foregoing Design Guidelines and procedures are supplementary to all of the terms and provisions of the Declaration, the Final Development Plan and the Final Plat and the terms of each of the foregoing shall remain in full force and effect. In the event of any actual or apparent conflict between these Design Guidelines and the Declaration, the Final Development Plan, or the Final Plat, the Declaration, the Final Development Plan, or the Final Plat, as applicable, shall prevail.

## Potomac Farms Design Guidelines and Standards

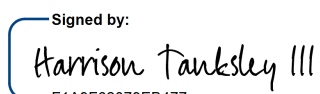
### 4. AMENDMENT.

These Design Guidelines may at any time, from time to time, be added to, deleted from, repealed, amended, modified, reenacted, or otherwise changed by the Committee in its discretion, with the advice of the Board.

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THESE DESIGN GUIDELINES WERE UNANIMOUSLY APPROVED AND ADOPTED BY THE BOARD on the 18<sup>th</sup> day of July 2024. As provided in the Declaration and as provided in this document, these Design Guidelines are subject to amendment by the Board, with the advice of the Committee.

Signed by:

A blue ink signature of Harrison Tanksley III, written in a cursive style.

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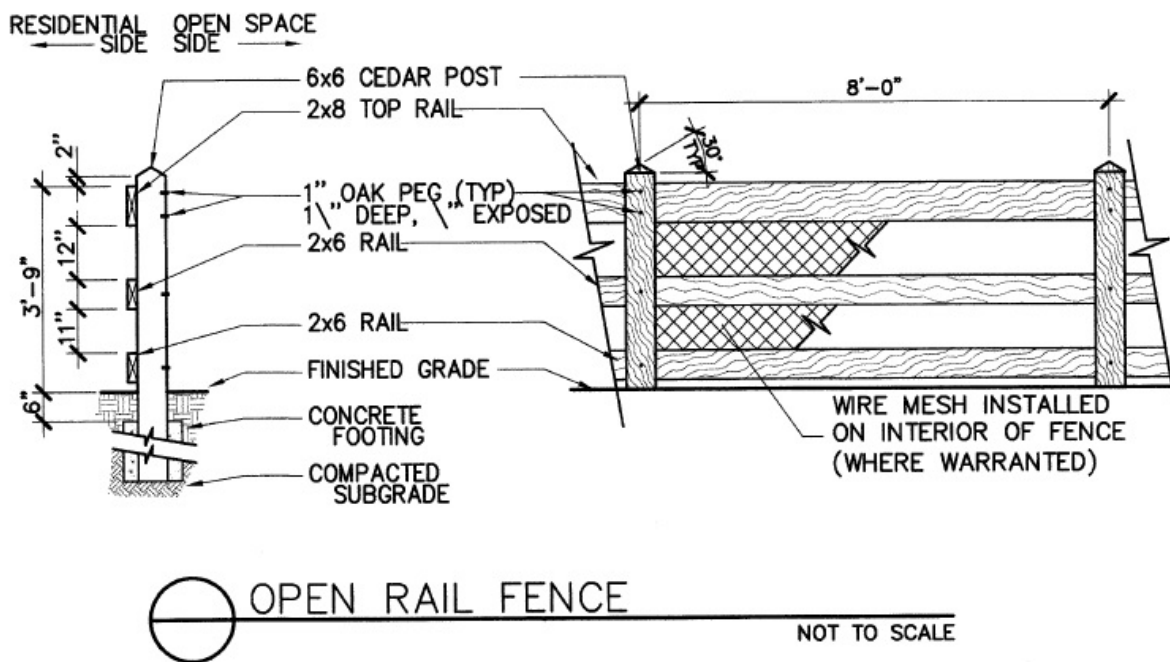
Harrison Tanksley III, Board President

## **EXHIBIT A – Exterior Home Paint Colors**

(See Potomac Farms Paint Book)



## EXHIBIT B – Open Rail Fencing Guidelines



**Note:** Open rail fencing design guidelines is included in the Potomac Farms landscaping plan submitted to and approved by Commerce City in November 2002. Thus, the open rail fencing design guidelines is not only subject to District enforcement but also City enforcement.

## EXHIBIT C – Street-Facing Fence Designs

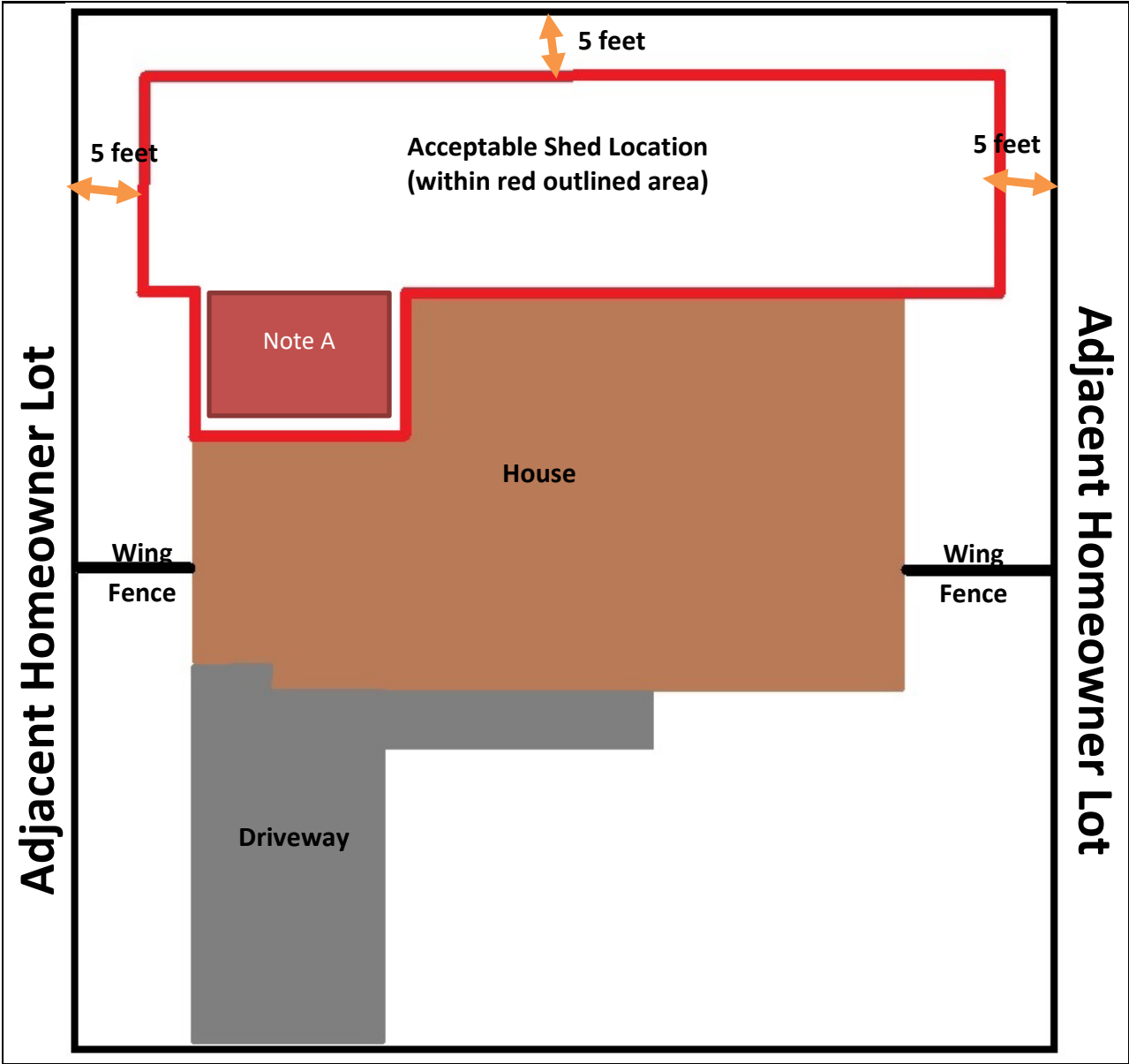
### Open Fence Design



### Shadow-Box Fence Design






EXHIBIT D – Acceptable Shed Location



**NOTE A** - Shed can only be placed forward from the house’s back wall if the shed is completely screened from view from the front street by a 3<sup>rd</sup> car garage.

EXHIBIT E – Pre-Approved Fence Stain Colors

Without prior Committee or Board approval, owners may stain their fences using any one of the following colors:

	Manufacturer	Stain or Finish Type	Color Name & Number	Color as appears on Redwood
1.	Behr	Semi-Transparent	Tugboat ST-141	
2.	Behr	Semi-Transparent	Bright Tamra ST-140	
3.	Behr	Semi-Transparent	Cedar Naturaltone ST-533	

**NOTE 1:** Resolution of colors on this page is not likely a good representation of the actual color as it appears stained on wood.

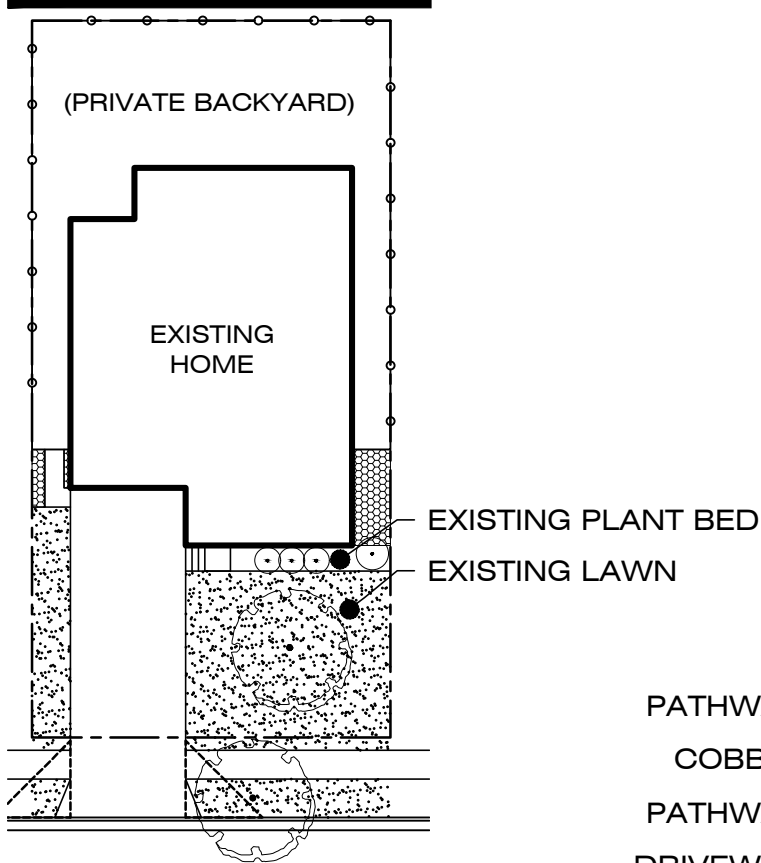
**NOTE 2:** Transparent colors are recommended for fences 0 to 5 years old; semi-transparent colors are recommended for fences more than 6 years old; solid colors are not permitted on fences.

## **EXHIBIT F – Commerce City Approved Plant List**

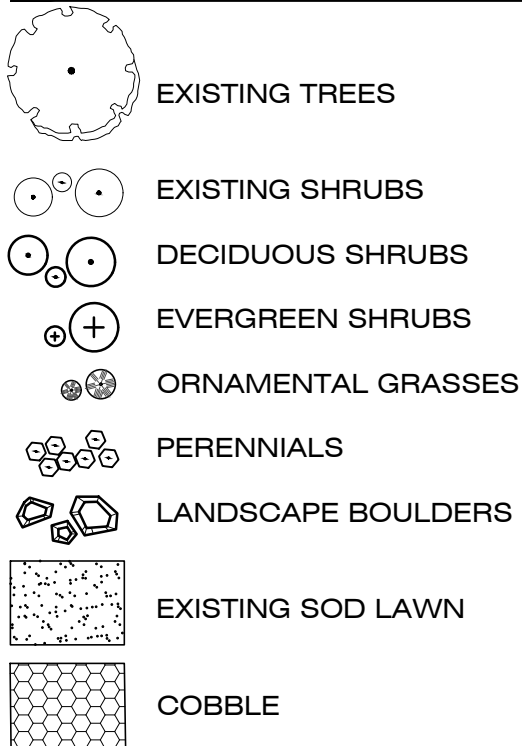
# Exhibit G



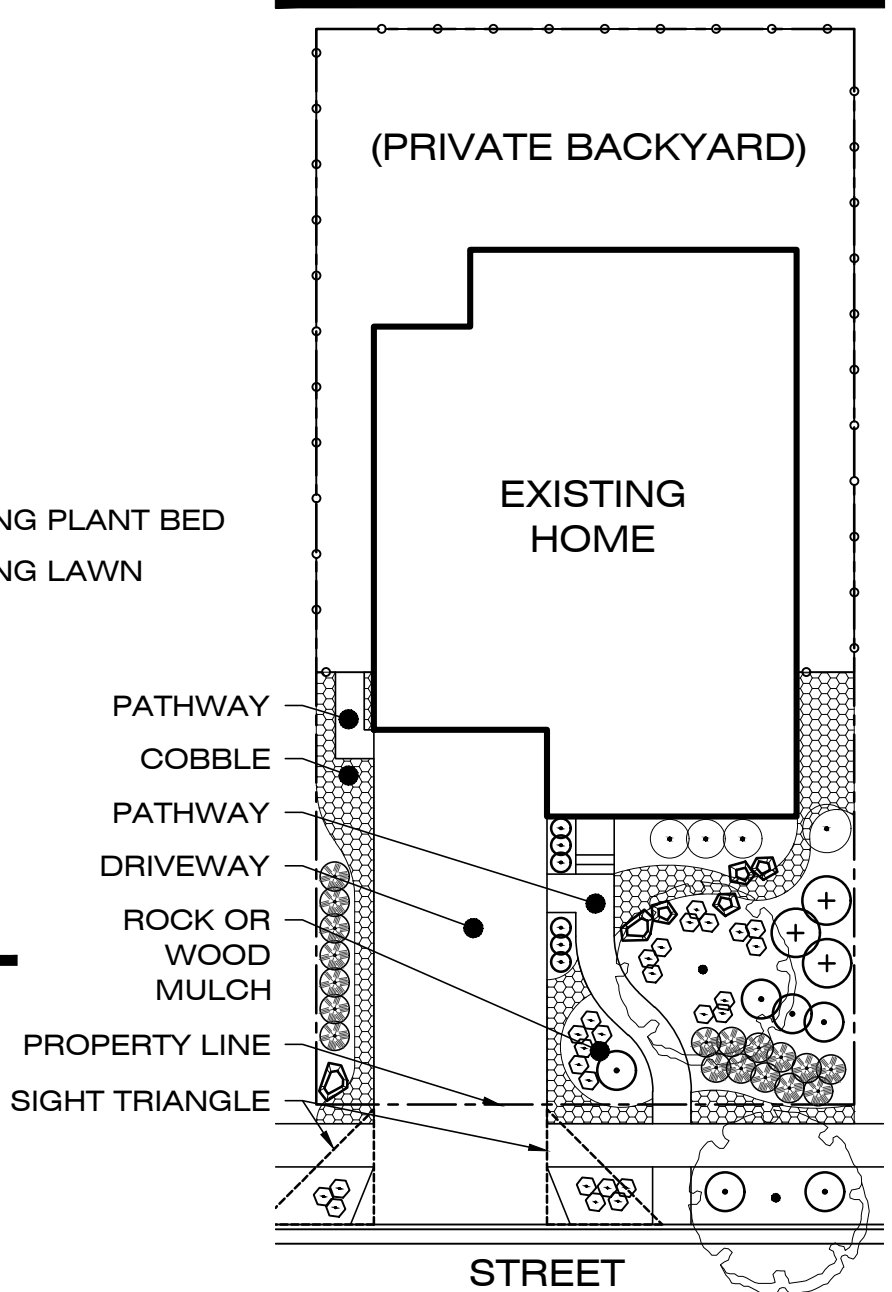
## BEFORE



## LANDSCAPE LEGEND



## WATER-WISE DESIGN EXAMPLE

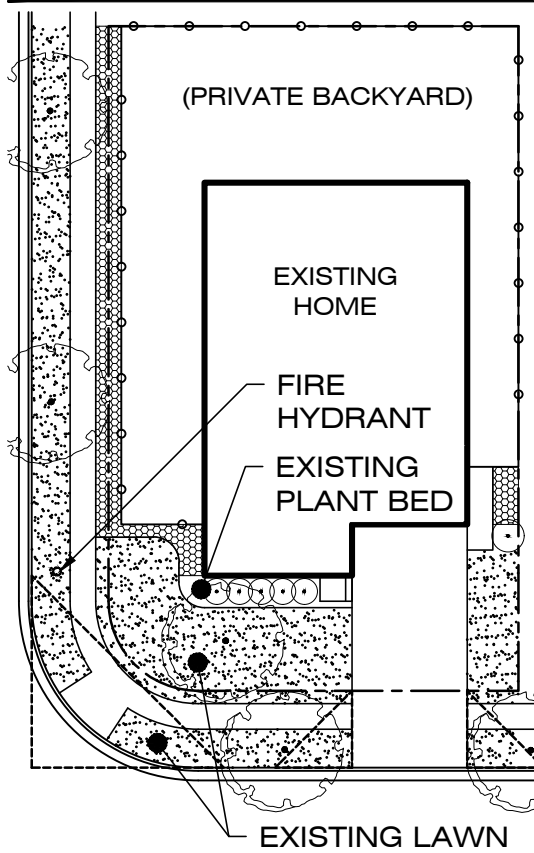


## INSPIRATION

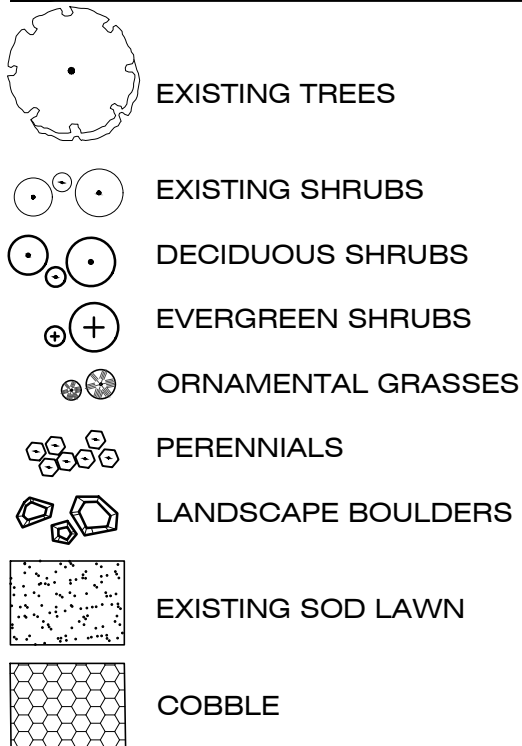


## WATER WISE - STANDARD LOT EXHIBIT

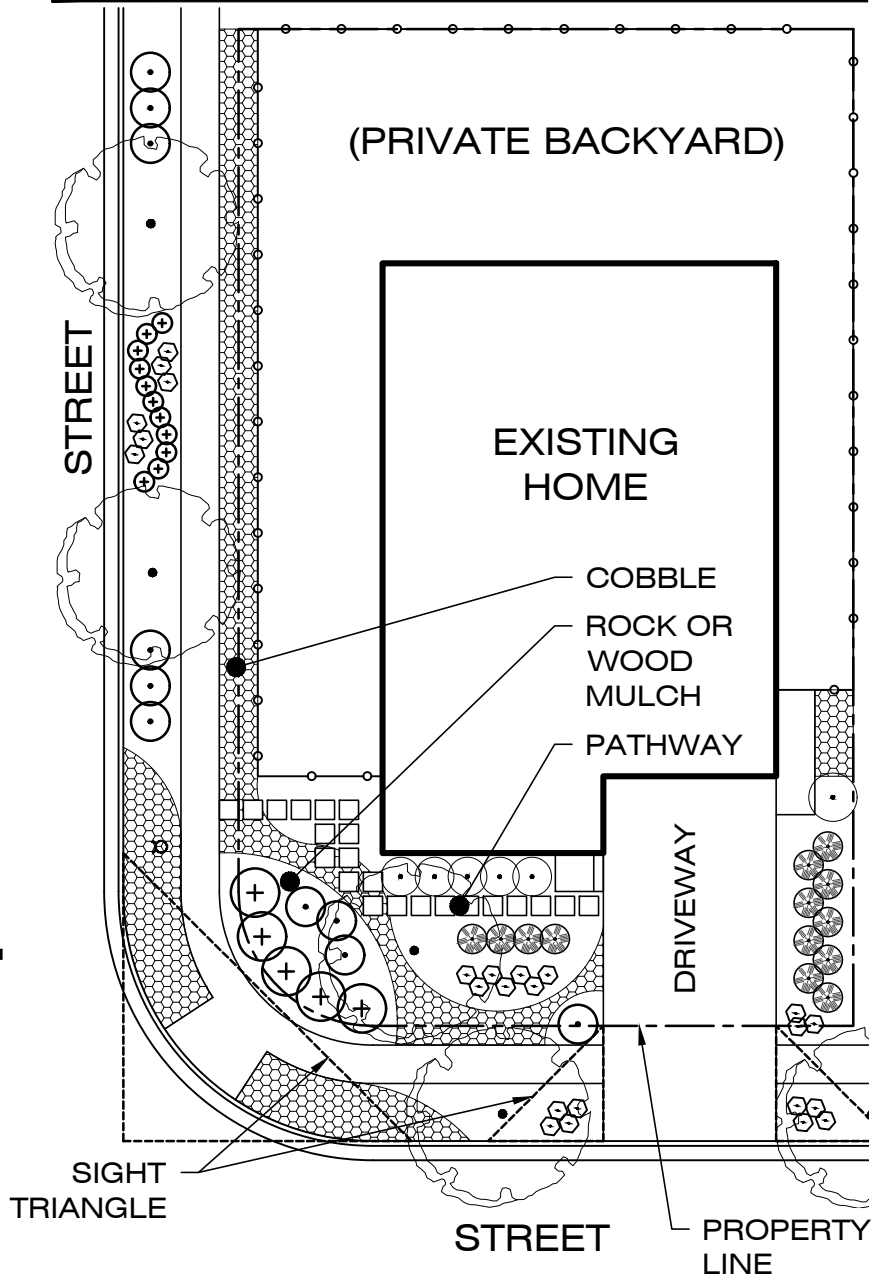
## BEFORE



## LANDSCAPE LEGEND



## WATER-WISE DESIGN EXAMPLE

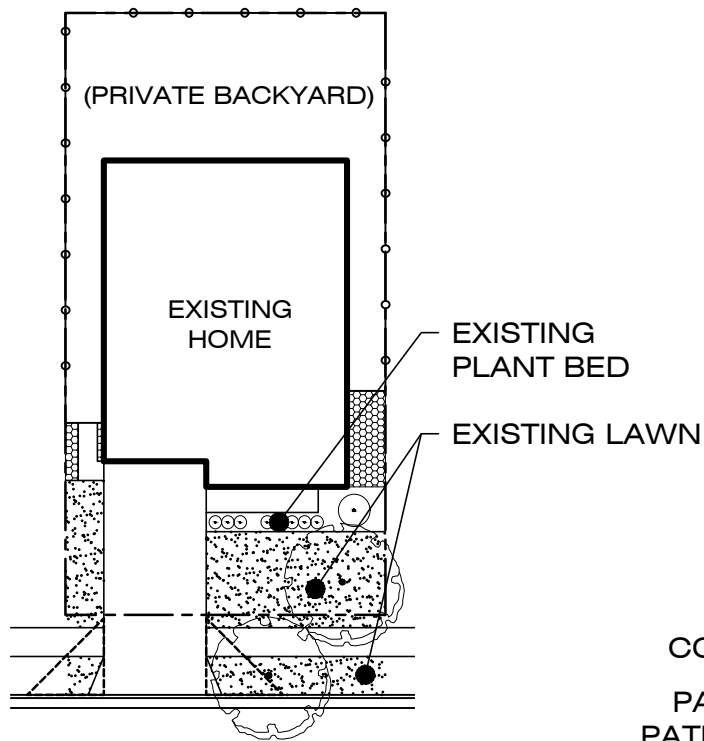


## INSPIRATION

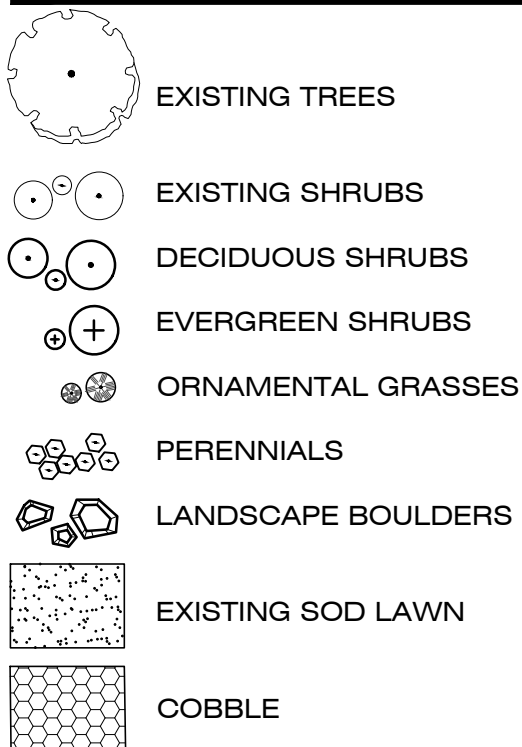
# WATER WISE - STANDARD CORNER LOT EXHIBIT



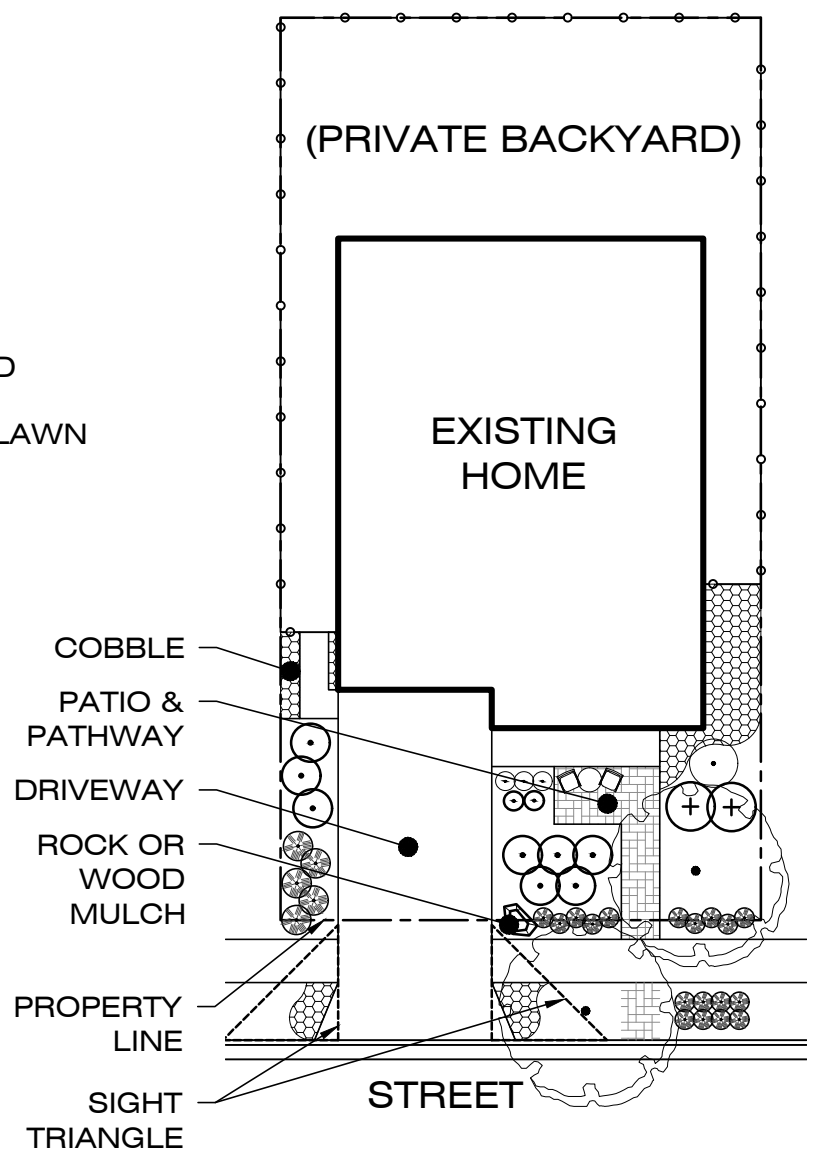
## BEFORE



## LANDSCAPE LEGEND



## WATER-WISE DESIGN EXAMPLE

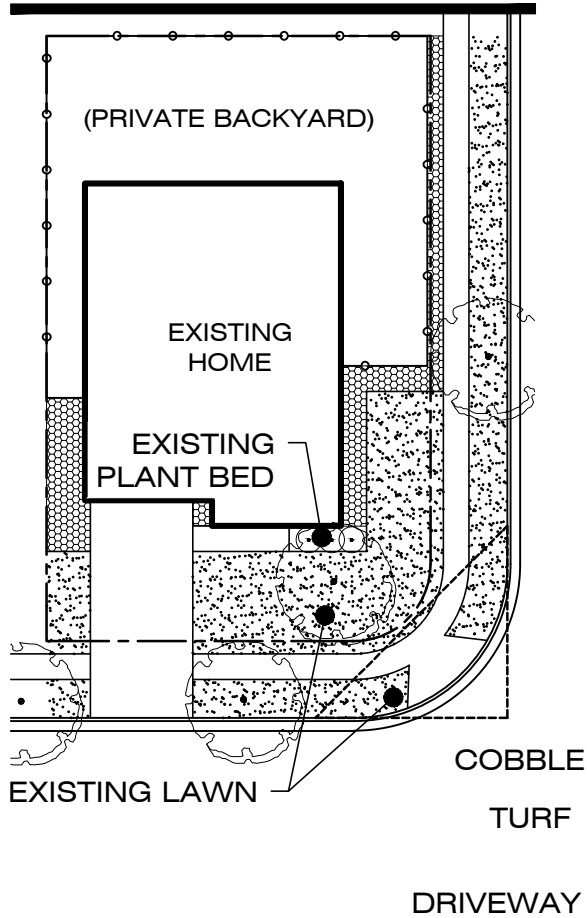


## INSPIRATION

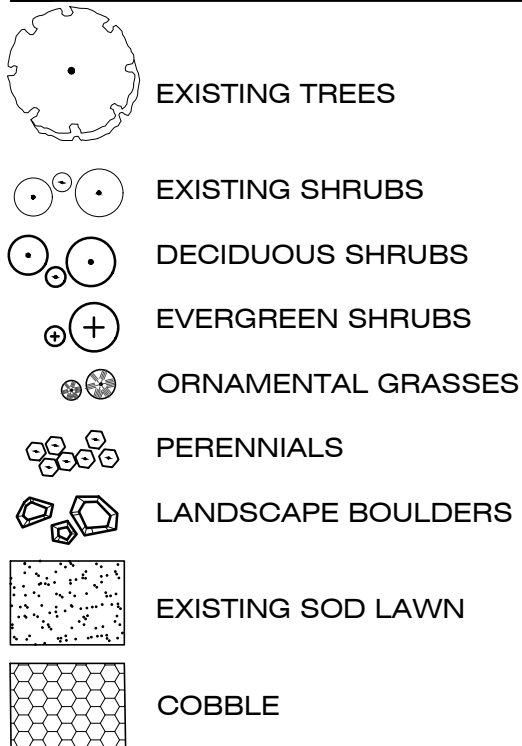


# WATER WISE - COMPACT LOT EXHIBIT

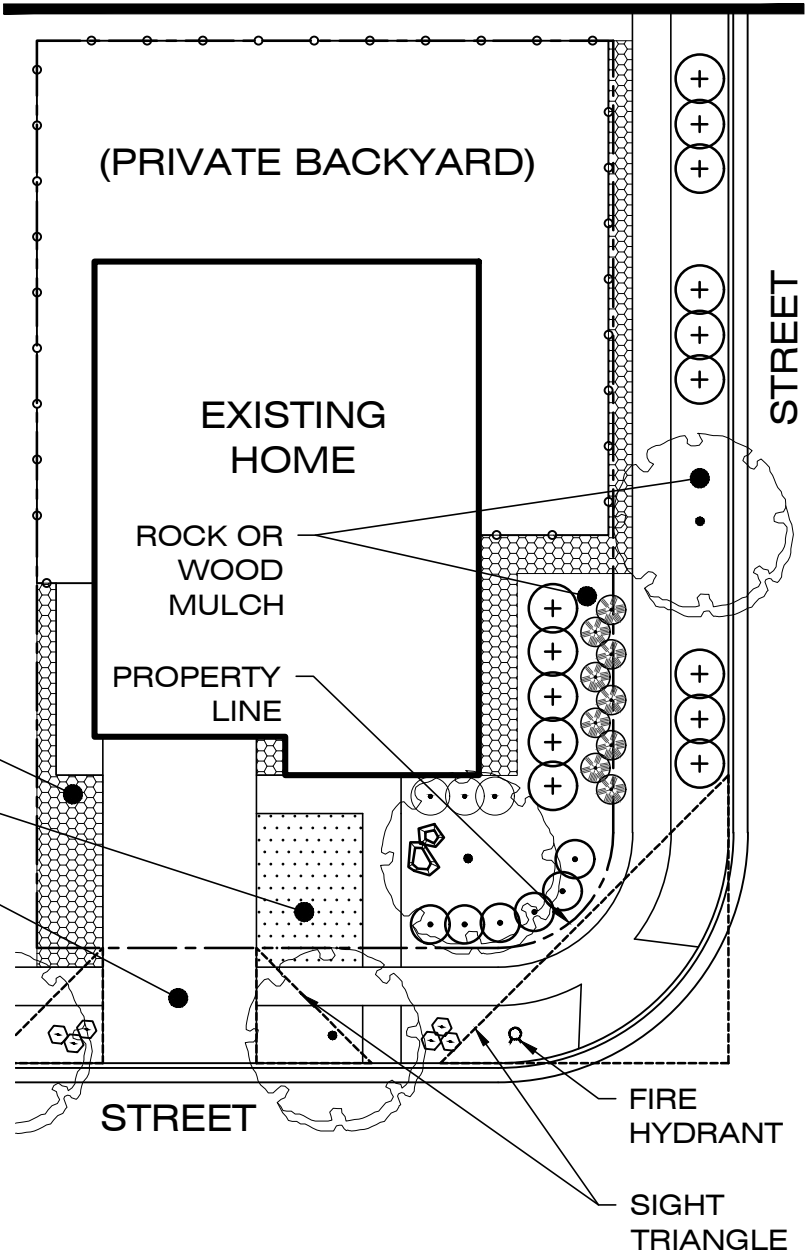
## BEFORE



## LANDSCAPE LEGEND



## WATER-WISE DESIGN EXAMPLE



## INSPIRATION

# WATER WISE - COMPACT CORNER LOT EXHIBIT

**PLANTING LOCATION NOTES:**

- Keep all intersection & driveway sight-triangles visually clear for motorist, pedestrian, and bicyclist safety. Any plant materials within a sight triangle should be no taller than 24-inches (trees excluded).
- Fire hydrants must remain completely visible. Do not plant any closer than 5-feet from any fire hydrant, and do not plant trees any closer than 10-feet from any fire hydrant.
- Call 811 to locate underground utilities on your property before you begin to dig.

**DECIDUOUS SHRUBS**

COMMON NAME	BOTANICAL NAME	MATURE HEIGHT	MATURE SPREAD	WATER USE	SUN/SHADE
Leadplant	<i>Amorpha canescens</i>	2-4'	2-4'	Very Low	Sun
Silver Sagebrush	<i>Artemisia cana</i>	1-6'	2-3'	Very Low	Sun
Tall Western Sagebrush	<i>Artemisia tridentata</i>	3-12'	3-6'	Very Low	Sun
Four Wing Saltbush	<i>Atriplex canescens</i>	3-6'	2-4'	Very Low	Sun
Japanese Barberry Varieties	<i>Berberis thunbergii</i>	2-4'	2-5'	Low	Sun
Silver Fountain Butterfly Bush	<i>Buddleja alternifolia 'Argentea'</i>	10-15'	10-15'	Low	Sun
Siberian Peashrub	<i>Caragana arborescens</i>	10-15'	8-12'	Low	Sun
Blue Mist Spirea	<i>Caryopteris x dandonensis 'Blue Mist'</i>	3-4'	2-3'	Low	Sun
Common Mountain Mahogany	<i>Cercocarpus montanus</i>	6-8'	4-6'	Very Low	Sun / Part Shade
Fernbush	<i>Chamaebatiaria millefolium</i>	3-5'	3-6'	Very Low	Sun
Rabbitbrush	<i>Ericameria nauseosa</i>	2-6'	2-6'	Very Low	Sun
Apache Plume	<i>Fallugia paradoxa</i>	3-6'	3-6'	Very Low	Sun
Rock Spiraea	<i>Holodiscus dumosus</i>	3-6'	3-6'	Low	Sun / Part Shade
Cheyenne Privet	<i>Ligustrum vulgare 'Cheyenne'</i>	6-8'	4-6'	Low	Sun / Part Shade
Potentilla Varieties	<i>Potentilla fruticosa</i>	1-3'	2-4'	Low	Sun
Creeping Western Sand Cherry	<i>Prunus besseyi Pawnee Buttes</i>	15-18"	4-6'	Low	Sun
Western Sand Cherry	<i>Prunus besseyi</i>	4-6'	4-6'	Low	Sun
Smooth Sumac	<i>Rhus glabra</i>	8-15'	8-10'	Low	Sun
Boulder Raspberry	<i>Rubus deliciosus</i>	3-6'	3-6'	Low	Adaptable
White Snowberry	<i>Symphoricarpos albus</i>	3-4'	3-5'	Low	Sun / Part Shade
Common Purple Lilac	<i>Syringa vulgaris</i>	10-20'	8-12'	Low	Sun
Mohican Wayfaring Tree	<i>Viburnum lantana 'Mohican'</i>	6-8'	6-8'	Low	Sun / Part Shade

**EVERGREEN SHRUBS**

COMMON NAME	BOTANICAL NAME	MATURE HEIGHT	MATURE SPREAD	WATER USE	SUN/SHADE
Joint Fir Bluestem	<i>Ephedra equisetina</i>	3-5'	2-3'	Low	Sun / Part Shade
Mormon Tea	<i>Ephedra viridis</i>	2-4'	2-3'	Very Low	Sun
Bar Harbour Juniper	<i>Juniperus horizontalis 'Bar Harbour'</i>	8-12"	6-8'	Low	Sun
Mugo Pine	<i>Pinus mugo</i>	5-20'	5-20'	Low	Sun / Part Shade
Soapweed Yucca	<i>Yucca glauca</i>	2-3'	2-4'	Very Low	Sun

**WATER WISE - PLANT RECOMMENDATIONS**

## ORNAMENTAL GRASSES

COMMON NAME	BOTANICAL NAME	MATURE HEIGHT	MATURE SPREAD	WATER USE	SUN/SHADE
Big Bluestem Grass	Andropogon gerardii	4-6'	2-3'	Low	Sun
Blue Grama Grass	Bouteloua gracilis	1-2'	1-2'	Very Low	Sun
Blonde Ambition Grama Grass	Bouteloua gracilis 'Blonde Ambition'	2-3'	1-2'	Very Low	Sun
Feather Reed Grass	Calamagrostis acutiflora 'Karl Foerster'	4-5'	18-24"	Low	Sun / Part Shade
Blue Fescue Grass	Festuca glauca spp.	6-12"	6-12"	Low	Sun
Blue Avena Grass	Helictotrichon sempervirens	2-3'	18-24"	Low	Sun
Heavy Metal Blue Switch Grass	Panicum virgatum 'Heavy Metal'	3-4'	12-18"	Low	Sun
Little Bluestem Grass	Schizachyrium scoparium 'Blaze'	3-4'	24-30"	Low	Sun
Giant Sacaton Grass	Sporobolus wrightii	3-6'	3-5'	Low	Sun

## PERENNIALS

COMMON NAME	BOTANICAL NAME	MATURE HEIGHT	MATURE SPREAD	WATER USE	SUN/SHADE
Colorado Yarrow	Achillea millefolium 'Paprika'	18-24"	2-3'	Low	Sun
Coronado Red Hyssop	Agastache 'Pstessene'	15-18"	12-15"	Low	Sun / Part Shade
Kinnikinnick	Arctostaphylos uva-ursi	3-6"	2-6'	Low	Sun / Part Shade
Butterfly Weed	Asclepias tuberosa	18-36"	18-24"	Low	Sun
Purple Rockcress	Aubrieta deltoidea 'Purple Gem'	4-6"	8-12"	Low	Sun
Prairie Winecups	Callirhoe involucrata	6-12"	2-3'	Low	Sun
Purple Iceplant	Delosperma cooperi	2-4"	12-18"	Low	Sun
Sulphur Flower	Eriogonum umbellatum	6-12"	12-24"	Very Low	Sun
Cushion Spurge	Euphorbia polychroma	1-2'	2-3'	Low	Sun
Native Blanket Flower	Gaillardia aristata	18-24"	18-24"	Low	Sun
Red-hot Poker	Kniphofia uvaria	3-4'	2-3'	Low	Sun
Native Gayfeather	Liatris punctata	12-18"	6-12"	Low	Sun
Native Gayfeather	Liatris punctata	12-18"	6-12"	Low	Sun
Silvery Horehound	Marrubium rotundifolium	6-8"	12-18"	Very Low	Sun
Little Trudy Catmint	Nepeta 'Psfike'	8-12"	18-24"	Low	Sun
Rocky Mountain Penstemon	Penstemon strictus	18-24"	12-18"	Low	Sun
Little Spire Russian Sage	Perovskia atriplicifolia 'Little Spire'	2-3'	2-3'	Very Low	Sun
Prairie Yellow Coneflower	Ratibida columnifera	18-24"	18-24"	Very Low	Sun
Black Eyed Susan	Rudbeckia fulgida 'Goldsturm'	18-24"	18-24"	Low	Sun
Stonecrop Varieties	Sedum spp.	2-24"	12-24"	Low	Sun
Hens and Chicks	Sempervivum species	2-6"	12-18"	Very Low	Sun
Partridge Feather	Tanacetum densum amani	6-8"	18-24"	Very Low	Sun
Native Verbena	Verbena bipinnatifida	3-6"	12-18"	Low	Sun
Golden Flowered Prairie Zinnia	Zinnia grandiflora 'Gold on Blue'	8-10"	18-30"	Very Low	Sun

## WATER WISE - PLANT RECOMMENDATIONS