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*Design Guidelines and
Architectural Standards
for New Windsor*

Est. 1997

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ARTICLE I

Concept, Intent and Purpose

- 1. The New Windsor Concept.** To create within the Brunner Farm Subdivision (hereinafter "New Windsor") an old-fashioned small-town neighborhood of mixed and complementary uses where walking out the front door is like stepping back to a simpler, friendlier time. Affordable single family detached homes linked by a network of tree lined streets and bicycle paths to schools, parks, a variety of retail and service establishments, and job opportunities. Detached sidewalks set back from parked cars, noise and traffic by a tree lined parkway, inviting pedestrians of all ages to safely walk to schools, parks, and shopping. Neighbors visiting over a low white picket fence or relaxing on the front porch. Garages set back from the street, often behind the house. More front lawns and less driveway pavement. Kids selling lemonade or raking some leaves for pocket money. The public spaces, the architecture of every home and all visible landscaping carefully and diligently controlled to preserve the small-town atmosphere. New Windsor is conceived as an affordable and more livable small-town alternative to characterless, automobile dominated, suburban development.
- 2. Intent of the Design Guidelines and Architectural Standards.** To promote a thoughtful combination of the best pre-World War II town planning and traditional Architectural design for the delight, safety, pleasure and convenience of the residents of the community. The guidelines are intended to give incentives to the construction of traditionally flavored homes with large and gracious front porches, and less prominent garages. The intent of the submittal requirements, Design Guidelines and Architectural Standards ("Design Guidelines"), zoning and construction regulations is to ensure that all Improvements to Property have individual design quality and architectural integrity while contributing to the traditional character of the neighborhood as a whole.
- 3. Purpose of the Design Review Committee.** To informally advise and consult with lot owners, to accept, review and either approve or disapprove formal submittals, and generally regulate the build out of New Windsor in conformance with the Design Guidelines, and amend same from time to time to achieve the New Windsor Concept.

ARTICLE II

Submittal Requirements, Procedures, and DRC Approval

- 1. When DRC Approval is Required.** All dwellings, landscaping, and/or ancillary uses constructed, altered, modified on any Lot shall be designed and built in accordance with the Design Guidelines as such are interpreted in the sole discretion of the DRC ("DRC Approval"). If DRC Approval is required, a complete Formal Submittal to the Design Review Committee ("DRC") must be approved in writing by the DRC prior to applying to the Town of Windsor for review, approval, and/or permit issuance.
- 2. Preliminary Consultations and Informal Submittals.** Although not required, Preliminary Consultations & Informal Submittals are strongly encouraged. The DRC will review any Builder's or Owner's plans, sketches or conceptual drawings at any stage before final submittal and without requiring a submittal fee. This is intended to help Lot Owners avoid the expense and frustration of possible DRC disapproval of a Formal Submittal.
- 3. Formal Submittal Package.** Any Applicant seeking DRC Approval of intended work shall submit to the DRC such descriptions, surveys, plot plans showing the location of such work, landscaping plans including specifications of all plant materials and hardscape work, drainage plans, complete construction plans for all proposed buildings (including structural design), elevations, sections, specifications, samples of materials, and colors in order to adequately explain the proposed work. The DRC shall have the right to request additional materials deemed necessary in order to carry out its stated purpose. Until all required materials are received, the application shall be deemed incomplete, and the DRC may postpone review of any materials submitted by a particular applicant. A Formal Submittal will not be deemed by the DRC to be complete unless and until two (2) sets of building plans, all drawn on uniform sheet sizes of 24"x36", and depicting the below described information, are submitted to the DRC:
 - a. Site Plans.** Site Plans at a scale of not less than 1/8"=1'-0" clearly delineating:
 - 1) Building locations, dimensioned to at least two property lines.
 - 2) All setbacks and easements.
 - 3) Driveway location, including location of all uncovered parking.
 - 4) Utility connections: sewer, gas, electricity, and telephone.
 - 5) Grading and drainage plan showing existing and proposed grades.
 - 6) Finished floor elevations of all structures.
 - b. Working Drawings.** Complete working drawings including:
 - 1) Floor Plans at a scale of 1/4"=1'-0", with gross floor area noted.
 - 2) All exterior elevations at the same scale, with exterior materials noted. The total glazed areas and other openings on each wall shall also be noted thereon, individually for each wall, in percentages of total wall area.
 - 3) Sufficient cross sections, not less than one, drawn at the same scale to adequately delineate floor heights, roof pitches and maximum height dimension as defined herein.

- 4) Roof plan at a minimum scale of 1/8"=1'-0" showing all slopes, pitches, ridges, valleys, drainage plan, gutter and downspout locations, and all roofing materials.
 - 5) Exterior electrical plans showing the location and types of exterior lighting fixtures.
- c. **Material Samples.** Samples of all exterior materials and colors, including cut sheets of exterior light fixtures.
- d. **Landscape Plan.** Complete landscape plan (including materials and specifications) for driveway, retaining walls, erosion control, details of fencing, other decorative features and lighting.
- e. **Ancillary Improvements.** Any ancillary improvements on lot such as RV or other parking areas, dog runs, storage areas, rubbish storage areas, etc.
- f. **Application and Submittal Fee.** A completed submittal application (see sample forms attached hereto) and payment of applicable Design Review Fee, currently \$300.00, paid to the order of New Windsor Metropolitan District, must be included with the submittal.
- g. **Soils Testing.** Each applicant shall provide the DRC with the results of soils tests conducted on the applicant's Lot by a qualified licensed Engineer. The grading plan for the Lot and the design of the structure and foundation of the improvements to be constructed thereon, shall be based on such soil tests and shall follow the recommendations of all Soils Engineers and comply with the grading plans as approved by the Town Engineer. The DRC or its appointed agents shall have the power to review and inspect all aspects of foundation, structural and exterior construction of the Real Estate within the Lot of each applicant, including but not limited to the grading and preparation of the site, foundation, and the structure itself, however, any builder may be granted "master approval" for Dwelling Units to be built upon Lots where the requisite soil tests have been performed.
- h. **Identification.** All plans, samples, and other materials submitted must be clearly marked with the date, Owner's name, Builder's name, Lot number, physical address and filing number.
- i. **Additional Information as Requested by DRC.** The DRC may occasionally request additional information in order to be able to adequately visualize the proposed Improvement to Property. One set of plans, samples, and other exhibits may be kept by the DRC and the other set will be returned to the Builder when approval is granted.
4. **Timeframe for Decision of DRC.** Within thirty (30) days after the date of receipt of the complete application plus any additional materials required by the DRC (unless the time period is extended by mutual agreement), the DRC will use its best efforts to provide a written notification to the Applicant of its Approval or Disapproval. In the event Applicant does not receive a decision within sixty (60) days, the DRC's decision on the Formal Submittal shall be considered to be Disapproval.
5. **Criteria for DRC Approval or Disapproval.** DRC Approval will be granted for only those proposed improvements that the DRC deems, in its reasonable discretion, will 1) be in accordance with the Design Guidelines set forth herein; 2) be in harmony with the Concept

and Intent of New Windsor; 3) and not detrimental to the beauty, wholesomeness and attractiveness or enjoyment thereof of the adjoining properties within the New Windsor community.

- 6. DRC Approval or Disapproval.** DRC Approval or Disapproval shall be in writing, and promptly transmitted to the Applicant at the address furnished to the committee by the Applicant. In the event written notice of DRC Disapproval is given, the reasons therefor shall be stated in writing. DRC Approval may be conditional on the Applicant incorporating such changes as the DRC shall deem appropriate.
- 7. Variances for Exceptional Architectural Merit.** To encourage the highest possible quality of design and a natural, but complementary variety of traditionally styled buildings and improvements, the DRC may grant Variances from any of the otherwise applicable requirements of these Design Guidelines. DRC Variances will be granted solely on the basis of exceptional Architectural, Design, Construction, or Aesthetic merit.
- 8. Disapproval by/Resubmittals to DRC.** In the event of disapproval by the DRC of a Formal Submittal, any re submittal will follow the same procedure as an original submittal.
- 9. Following DRC Approval.** DRC Approval confers certain limited privileges and does not waive any of the other responsibilities of the Applicant including, but not necessarily limited to the following:
 - a. Expiration of DRC Approval.** DRC Approval is valid for twelve (12) months. Construction must begin within this period or the DRC Approval expires and the Applicant must start over with a new Formal Submittal.
 - b. Conformance with All Applicable Building Codes and Ordinances.** Any residential structure shall be required to conform to the applicable building code and ordinances of the Town of Windsor. DRC Approval does not expressly or implicitly suggest compliance with any building code or ordinances. Applicant is still required to obtain a building permit from the Town of Windsor and obtain the necessary inspections for a Certificate of Occupancy to be issued by the Town of Windsor.
 - c. Prosecution of Work.** Following DRC Approval of any proposed Improvement to Property, the proposed Improvement to Property shall be commenced within twelve (12) months, accomplished as promptly and diligently as possible and completed in conformity with the description of the proposed Improvements to Property in the Formal Submittal and any conditions of approval imposed by the DRC. Failure to complete any proposed Improvement to Property within one (1) year after the date work is commenced or to complete the Improvement to Property in accordance with the description and materials set forth in the Formal Submittal and the conditions of approval imposed by the DRC, shall constitute a violation of this Article and at the discretion of the DRC result in revocation of DRC Approval.

- d. Inspection by DRC.** The DRC or its duly authorized representatives shall have the right to inspect any Improvement to the Property prior to the completion provided that the right of inspection shall terminate sixty (60) days after the DRC receives a Notice of Completion from the Applicant.
- e. Notice of Non Compliance.** If as a result of inspection or otherwise, the DRC finds that any Improvement to Property has been done without obtaining the approval of the DRC, or was not done in substantial compliance with the description and materials furnished to, and any conditions imposed by the DRC, or was not completed within one (1) year after the commencement of work, the DRC shall notify the applicant in writing of the non-compliance. The notice shall specify the particulars of the non-compliance and shall require the applicant to take such actions as may be necessary to remedy the non-compliance.
- f. Notice of Completion.** Upon completion of the Improvement to Property, the Applicant shall give written notice to the DRC. Until DRC's receipt of Notice of Completion, the DRC shall not be deemed to have Notice of Completion of any Improvement to Property.
- g. Non Compliance.** If, for any reason other than the applicant's act or negligence, the DRC fails to notify Applicant of any non-compliance within sixty (60) days after receipt by the DRC of written Notice of Completion from the applicant, the improvement shall be deemed to be in compliance, provided however, the Improvement to the Property was actually completed as of the date of Notice of Completion.
- h. Enforcement.** Any Improvement to Property made in violation of this Article or of the Design Guidelines shall be deemed to be non-conforming. Upon written request from either the Declarant or the DRC, Owners shall, at their own cost and expense, remove such structure or improvement and restore the land to substantially the same condition as existed prior to the non-conforming work. Should the Owner fail to remove and restore as required, the Declarant, or its designees shall have the right to enter the property, remove the violation, and restore the property to substantially the same condition as previously existed. Any builder, contractor, subcontractor, agent employee, or other invitee of an Owner, Builder or Applicant who fails to comply with the terms and provisions of this Article and the Design Guidelines shall be prohibited from erecting any improvements upon real property owned by such party. In addition to the foregoing, the Declarant shall have the authority and standing to pursue all legal and equitable remedies available to enforce the provisions of this Article or the Design Guidelines.

10. Subsequent and/or Ancillary Improvements Require DRC Approval.

Additional construction, changes, or landscaping proposed to the Property subsequent to and/or in addition to those improvements which were the subject of any previous DRC Approval, must be formally submitted to the DRC for review and DRC Approval prior to initiating such additional changes, additions or landscaping. Exterior painting which includes colors not previously approved by the DRC require DRC Approval. Modifications

to the interior of screened or open porches, patios and similar portions of a dwelling unit which are visible from the outside of the structure shall be subject to DRC Approval. Some remodels, (for example, those which do not materially alter the appearance of the exterior of the structure), interior painting and/or redecoration of the interior of structures may be done without DRC Approval. However, a remodel may require a Building Permit from the Town of Windsor. All other proposed ancillary improvements to existing improvements in New Windsor must be submitted to the DRC for approval prior to commencement of construction. Such improvements include, but are not limited to: additions, decks, exterior lighting, dog runs, fencing, basketball hoops, play equipment, antennas, re staining or re painting in a new color and solar collectors.

11. Procedure for DRC Review of Subsequent and/or Ancillary Improvements.

Applicants proposing to make subsequent and/or ancillary improvements are recommended to follow these general procedures:

- a. Review Requirements.** Review the Design Guidelines as they may relate to the proposed improvements.
- b. Complete Required Form.** Complete the Ancillary Submittal Form included herein and submit that form to the DRC.
- c. Provide Plans.** Provide the DRC with plans showing site location and proposed materials, plus cut sheet for lights, play equipment, and solar collectors. Color samples, where appropriate, must accompany the submittal. Plan can be as simple as a sketch, or it may be a professional drawing.
- d. Pay Submittal Fee.** A submittal fee, currently \$50.00, made payable to the order of the New Windsor Metropolitan District, must be included for any proposed additions or changes. Submittals for routine maintenance and/or replacement with like materials and color will be exempt from a submittal fee. The DRC will review ancillary improvement plans and will provide a written response to the Owner within fourteen (14) days after submittal.

12. Limited Liability of DRC. Review and approval of any application pursuant to this Article and the Design Guidelines are made on the basis of aesthetic considerations only and neither the DRC nor the Declarant nor any member thereof shall bear any responsibility for ensuring the structural integrity or soundness of approved construction or modifications, nor for ensuring compliance with zoning or building codes, or other governmental requirements. Neither the DRC nor the Declarant or member thereof shall be held liable for any injury, damages, or loss arising out of the manner or quality of construction on, or modification to, any Unit.

ARTICLE III

Setbacks and Offsets

The term Setback refers to the minimum distance setback from the public right of way. The term Offset refers to the minimum distance offset from a common property line with an adjoining Lot.

1. **Front Yard Setbacks.** The required Front Yard Setbacks in New Windsor are intended to generally exceed the minimums required by the Town of Windsor, and vary depending on where the Lot is located. The specific Front Yard Setback to be maintained for each Lot is set forth in "Exhibit A New Windsor Front Yard Setbacks and Minimum House Square Footages." To encourage the design and development of improvements consistent with the Concept and Intent, certain exceptions to the New Windsor Front Yard Setbacks are set forth as incentives in Article IV - Permitted Encroachments.
2. **Side Street Setbacks.** Side Street Setbacks are the minimums required by the Town of Windsor, and shall be maintained as 20'-0" from the property line. To encourage the design and development of improvements consistent with the Concept and Intent, certain exceptions to the Side Street Setbacks are set forth as incentives in Article IV - Permitted Encroachments.
3. **Offsets.** Side and rear offsets shall be maintained as 5'-0" except in the case of 1) rear Lot lines with 10'-0" easements which in all cases shall be maintained as 10'-0" offsets, and 2) rear Lot lines on Lots 1-6 of Block 1 and Lots 1-6 of Block 2 which shall be maintained as 10'-0" offsets. To encourage the design and development of improvements consistent with the Concept and Intent, certain exceptions to the Offsets are set forth as incentives in Article IV - Permitted Encroachments.
4. **Compliance with Town of Windsor Standards.** In no case are the setbacks to be less than the minimum Town of Windsor standards and as modified in THE WINDSOR LAND COMPANY, LLC, Development Agreement.
5. **Front Yard Setbacks of Adjacent Homes Must Vary.** To promote an interesting and staggered streetscape, no two adjoining houses may share the identical Front Yard Setback. The final Front Yard Setback for each Lot will be established by the DRC on a first come, first served basis. In other words, if a given Lot is the first among its adjoining neighbors to receive DRC Approval, the DRC will require the adjoining Lots to vary their Front Yard Setbacks by up to five (5) feet.

ARTICLE IV

Permitted Encroachments

The purpose of permitting certain limited encroachments into the otherwise applicable Setbacks and Offsets is to incentivize the construction of homes and other improvements that incorporate design elements believed to promote a visually attractive pedestrian atmosphere and generally enhance the friendliness and charm of the neighborhood's streetscape and other public spaces. The Permitted Encroachments have been carefully conceived as an incentive system to encourage construction of the desired design elements where the incentive is the increase in Lot utility that is achieved by being able to construct in areas that are otherwise off limits. For example, if the garage is placed in the rear of the Lot (which enhances the appearance of the home from the street), then the house can be built closer to the street than one with its garage in the front of the Lot. Or, if a home is built with a single story front porch of a minimum depth and width, it can be built closer to the street than one that does not include such a porch. If a bay window is built, it can encroach into the Side Street Setback.

1. Permitted Encroachments in required Front Yard Setbacks:

- a. **Porches.** One story 8'-0" wide covered porches may extend to within 12'-0" of property line, excluding an eave or cornice. Where this is permitted, the adjacent or second story facade must have a 20'-0" setback. The undercroft of a porch which is higher than 20" above adjacent natural grade shall be enclosed with a wooden lattice or masonry base (incl. masonry veneer or stucco). Porches should be white, with exceptions allowed for matching the base or trim color of the home.
- b. **Open Decks Over Porches.** A habitable open flat deck, surrounded by a continuous wooden or vinyl balustrade, white in color, is permitted as the second floor of a porch which is permitted to encroach. Where a deck is permitted to encroach, the adjacent or second story facade itself shall still be held to the otherwise applicable New Windsor Front Yard Setback.
- c. **Main Structure if the Garage is Located in the Rear of the Lot.** Gross floor area of the main structure may encroach to within 20'-0" of the front property line on the condition that the garage is located entirely within the rear 50% of the buildable area of the lot. This provision is not permitted on Lots 10 through 14 of Block 9.
- d. **Trellises, Arbors, Tree Swings or Swing Sets.** Trellises, arbors, tree swings or swing set shall be permitted subject to the review of the DRC.
- e. **Uncovered Parking for Cars.** Uncovered required paved car parking spaces, are permitted in front of garage door or doors. However, parking for trucks, campers, RV's and/or boats is not permitted within the Front Yard Setback.

2. Permitted Encroachments in required Rear Yard Offset:

- a. Outbuildings.** Only one outbuilding shall be allowed per Lot and shall only be allowed to serve one or more of the following purposes: Detached Garage, Artist's Studio, Home Office, Guest Cottage, Conservatory, Greenhouse, Gazebo, Pool House, Sauna, and/or Equipment Enclosure, and be subject to the following:

1) Area, Height, Configuration & Minimum Offsets for Outbuildings.

Artist's Studio: An artist's studio shall be one story in height and enclosing not more than 200 sq. ft. of habitable space.

Guest Cottage: A guest cottage shall be one story in height and enclosing not more than 200 sq. ft. of habitable space.

Conservatory, Greenhouse, Gazebo, Pool House, or Sauna: A Conservatory, Greenhouse, Gazebo, Pool House, or Sauna shall be one story in height and enclosing not more than 150 sq. ft. of habitable space.

Equipment Enclosure: An Equipment Enclosure shall be one story in height and enclosing not more than 100 sq. ft. of habitable space.

Detached Enclosed Garage With Additional Habitable Space:

Area & Height

A two story outbuilding, the ground floor of which is a single, two or three car garage, may have a second story of habitable space of equal or lesser square footage than the first story garage area. A single story outbuilding which includes a garage may have additional habitable space on the ground floor up to a maximum of 250 sq. ft.

Configuration

The maximum width for a detached single-car garage shall not exceed 12'-0", and the maximum width for a detached two- or three-car garage shall not exceed 22'-0". The maximum size of a detached three car garage shall not exceed 22'-0" wide by 40'-0" deep, and shall otherwise be configured as set forth in Article V.

Minimum Offsets

Detached garages must be offset a minimum of 10'-0" from a rear property line, and 5'-0" from any facing property line, except on a street corner side yard, in which case the setback must be 20'-0", no more and no less. Uncovered exterior stairways are permitted no closer than 3'-0" to any facing property line.

2) Minimum Separation. A separation of not less than 6'-0" must be maintained between main structure and its permitted encroachments on the one hand and a one story Outbuilding on the other hand. A separation of not less than 10'-0" must be maintained between main structure and its permitted encroachments on the one hand and a two story Outbuilding on the other hand. A one-story covered walkway not over 6'-0' wide is permitted to connect buildings. On corner Lots, covered walkways must maintain the same Side Street Setback as the main structure.

3) Prohibition of Outbuilding Use for Residential or Rental. The use of any outbuilding as a second residential unit or for rental purposes is strictly prohibited.

b. Decks. A raised uncovered wooden or masonry deck, no higher than the floor of the main structure may encroach a maximum of half way into the required rear yard offset, but not into any easement or rear yard setback. The undercroft of a wooden deck which is higher than 20" above adjacent natural grade shall be enclosed with a wooden lattice.

c. Parking for One Truck, Camper, RV and/or Boat. Uncovered paved parking spaces level with adjacent grade for one truck, camper, RV and/or a boat if maintained behind street face of garage and screened from view with a 6'-0" high fencing and a 6'-0" high full width gate facing the street.

3. Permitted Encroachments in required Interior Side Yard Offsets:

a. Privacy Fencing and Privacy Walls. Privacy fencing and/or privacy walls within 3'-0" of the nearest property line, provided such are not over 6'-0" above adjacent natural grade.

b. Stoops & Platforms. Uncovered stoops, and/or platforms, not over 3'-0" above adjacent natural grade, and no closer than 3'-0" to property line.

c. Shared Driveways. Driveways which are shared by two adjoining Lots may encroach into the otherwise applicable side yard offset, provided 1) they are centered on the common property line, 2) they are no more than 12'-0" wide within 15'-0" of the front property line, 3) they fork into each Lot 26'0" before the face of the garage door, 4) they are aligned so as to leave an 18" irrigated landscaped strip within each property for a minimum of 20'-0" from the face of the garage which tapers to 0'-0" at the fork, and 5) a document is recorded against each Lot in the official records of the County of Weld to assure proper maintenance and reciprocal access easement.

d. Required Parking for Cars. Uncovered required car parking spaces level with adjacent grade, if sited alongside of garage, and fully screened from adjoining property with a property line fence having a minimum height of 6'-0" above adjacent natural grade and a

6'-0" high gate screening said space from view to the street, may occupy the required yard offset. Required parking spaces may be in tandem (one behind the other), if maintained behind street face of garage.

- e. **Parking for One Truck, Camper, RV and/or Boat.** Uncovered paved parking spaces level with adjacent grade for one truck, camper, RV and/or boat if maintained behind street face of garage and screened from view with a 6'-0" high fencing, and a 6'-0" high full width gate facing the street.

4. Permitted Encroachments in required Side Street Setbacks:

- a. **Porches.** One story 8'-0" wide covered porches may extend to within 12'-0" of property line, excluding an eave or cornice. Where this is permitted, the adjacent or second story facade must have a 20'-0" setback. The undercroft of a porch which is higher than 20" above adjacent natural grade shall be enclosed with a wooden lattice or masonry base (incl. masonry veneer or stucco).
- b. **Front Porch Railing.** Front porch railings must complement the overall aesthetic of the home. Acceptable materials include metal, vinyl, or wood. All treated or untreated wood used in railings must be either painted, lightly stained, or finished with a light protective coating to prevent weathering. The color of the railing may match either the base color or the accent color of the home to ensure visual harmony and design consistency.
- c. **Bay Windows.** Bay windows, no wider than high, may encroach to within 12'-0" of side street property line, excluding an eave or cornice. The front yard setback then must be 28'-0", except for a permitted front porch encroachment. A bay window shall be no closer than 36" to the end of wall or adjacent intersection.
- d. **Visibility Triangle.** Porches and bay windows as above will be permitted, provided the Front Yard Setback is held to the greater of 28'-0" or the distance necessary to meet the site distance visibility triangle required by the Town.
- e. **Projections.** Chimneys, cornices, eaves, uncovered balconies or other Architectural projections may encroach no farther than 12'-0" into the side street setback.
- f. **Parking for One Truck, Camper, RV and/or Boat.** Uncovered paved parking spaces level with adjacent grade for one truck, camper, RV, and/or boat if maintained behind street face of garage and screened from view with a 6'-0" high fencing and a 6'-0" high full width gate facing the street.

ARTICLE V

Architectural Building Standards

The Architectural Building Standards focus on restrictions and requirements for building design, roof design, exterior materials, building elements, fenestration, garages, building heights, minimum square footages for main structures, maximum square footages for ancillary structures, restrictions and requirements on configuration and siting of main and ancillary structures, driveways, trash receptacles, solar panels, parking.

- 1. Building Design.** Building designs with varied heights are preferable. The use of decorative features such as deep and wide front porches, wrap around porches on corner lots, colonnades, dormers, cupolas and materials such as masonry or masonry veneer, decorative siding or shingles, trim details, (such as Belly Bands, Skirt Boards at floor lines or fascia lines, water tables above masonry or changes in siding type, and barge boards, etc.) and shutters is encouraged and such features and materials should be used on all facades of structure, rather than on front elevation only, so that building is attractive from all sides equally.
- 2. Minimum House Size Requirements.** Each Lot is subject to a Minimum House Size Requirement as specifically set forth in Exhibit A attached hereto. The Minimum House Size Requirement refers to the sum total of all habitable square footage constructed on the Lot, inclusive of habitable space within a permitted Outbuilding, if any.
- 3. Maximum Building Heights.** Maximum building height for a residence shall not exceed thirty five (35) feet from grade to the highest point of the roof, with the exception of a Cupola, Tower, Spire, Widow's Walks, Parapets, and the like, which for aesthetic, decorative or functional purpose may have a high point no higher than ten (10) feet above the highest point of the supporting roof, and a footprint area not to exceed one hundred (100) square feet.
- 4. Building Elements.** The materials, dimensions, and proportions of building elements are restricted as follows:
 - a. Stoops and Platforms.** Stoops, or platforms, may be constructed of pressure treated wood, colored or textured concrete, clay or concrete brick, cast or natural stone. The undercroft of a porch, stoop or platform deck which is higher than 20" above adjacent natural grade shall be enclosed with a wooden lattice or masonry base (incl. masonry veneer or stucco).
 - b. Elements to be Constructed in Wood, Painted White.** Porches, columns, posts, pediments, balustrades, bay windows, and balconies, shall be wood or vinyl and white in color. Variances will be granted to those changes that are esthetically pleasing.
 - c. Balusters or Spindles.** Balusters or spindles may not exceed 5" on center.

d. Piers, Columns and Arches. Piers, columns, and arches may be brick, stone, or smooth sand finished stucco. Arches of brick, stone or stucco shall be at least 12" thick. Wood piers and columns not more than 9 feet high shall be no less than 5 ½" in any dimension. If wood piers and columns are over 9 feet high they shall be no less than 7" in any dimension.

e. Exterior Chimneys. Exterior chimneys may be finished in brick, stone, or stucco with a troweled light sand float type finish. Exposed metal flues are not permitted.

No direct vent fireplaces are allowed. All exterior chimneys are to extend to the ground with a foundation. (no cantilevers)

f. Bay Windows. Bay windows shall be habitable space, carried to the ground with foundation under, placed no closer than 36" to a side wall, and be no wider than tall from the ground to the eaves.

g. Balconies. Balconies shall not exceed 36" in depth, and may not be wider than tall.

h. Fenestration.

1) Maximum Percentage. The total glazed area and other openings of any wall shall not exceed 35% of the total area of that wall, each wall being calculated individually.

2) Vertical Proportions Required. All openings such as windows, doors, porch colonnade, etc., shall be rectangular, taller than wide creating vertical proportions. Garage doors are not included in this requirement. Full circular and hexagonal windows or vent openings are permitted.

i. Shutters. Shutters with vertical proportions are encouraged.

j. Garages.

1) Enclosed Area. All garages shall be fully enclosed. Single-space garages shall be no less than 200 sq. ft. in area. Two-car garages shall be no less than 380 sq. ft. in area. Three-car garages shall be no less than 560 sq. ft. in area and permitted only if the third parking space shall be no closer to the street and be located behind one of the other two spaces, not alongside. If the three-car garage is detached, the third car must be located directly behind the car nearest to the adjoining property line. If attached, the third car can be located on either side directly behind either of the two front cars. No garages for more than three vehicles are permitted.

2) Width of Garage. Attached garages may not exceed 12'-0" in width, if single, nor exceed 22'-0" in width if double or triple.

3) Width of Garage Doors. Garage doors for a single garage may not exceed 9'-0" in width. Garage doors for two- or three-car garages may not exceed 18'-0". **Single garage doors are required on garages on corner lots with the garage facing the side street and on garages within the front 50% of the length of the house on which the garage is attached or located next to us.**

4) Garages Must be Setback from Facade. Garages must be held back a minimum of 24" from the plane of the street façade, not including porches, of the structure, wherever that is, but in no case closer than 30'-0" from the front property line, except on a side street corner lot where a minimum 20'-0" setback is required. This additional 24" setback is not required if the improvement is built with a permitted front yard porch encroachment.

k. Driveways. Driveways must be concrete, and extend no wider than 24" beyond the garage door on each side. The driveway width at the street line shall be a maximum of 12'-0" wide, for a distance of 15'-0" back from the property line. The edge of driveway in the front yard must be set 18" away from side property line and adjacent to structure, in order to allow for an irrigated landscape strip. A driveway in a street corner side yard may be full width from the garage door to the street, providing this distance does not exceed 20'-0" from the property line. A driveway design consisting of two concrete tire tracks with an irrigated grass strip in the center will be permitted.

Sidewalks can be a maximum of 4'-0" wide at the connection to the street sidewalk and can flare, beginning at a distance no farther than 4'-0" from the building steps, to a maximum of 8'-0" wide. Sidewalks must provide a direct access between the street sidewalk and the front entrance. Access from driveway to front entrance is allowed and must be of a more visually appealing material, i.e. stepping stones, flagstones, etc.

l. Solar Panels. DRC requires approval for all solar panel systems prior to installation. According to C.R.S 38-30-168, subdivisions are allowed to set aesthetic provisions that impose reasonable restrictions on the dimensions, placement, or external appearance of renewable energy generation devices, so long as they do not significantly increase the cost of the device; or significantly decrease its performance or efficiency.

Unless conflicting with C.R.S 38-30-168, solar panels may be used to augment energy, but the panels, supports or any part of the system and must be installed flat to the roof and not in an upright fashion.

m. Trash Areas. Trash receptacles shall be restricted to hard surfaced areas alongside or behind garages, and out of sight of the street.

5. Exterior Materials.

a. Minimum Masonry Requirements. If stone or brick are used on the front of residence, the stone or brick shall be extended a minimum of four (4) feet on both sides of the residence at the same height as the brick or stone on the front of the residence. In the

instances of Porches on the front facade, the masonry requirement shall apply to the next street facing wall back.

b. Facades. Two or more of the following materials may be combined horizontally on any facade:

- 1) Siding.** Siding shall be drop lap, clapboard, shiplap, bevel board, horizontal tongue and groove, or board and batten. Siding materials may be wood, hardboard, plywood. Droplap siding shall not exceed 6" to the weather. Clapboard shall be from 3 ½" to 5" to the weather. Bevel board shall not exceed 5" to the weather. Board and batten shall not exceed 8" and 2" running alternatively. Wood siding or trim shall be stained or painted with a minimum recommended 20% pigment. Wood trim, except for front door surround, shall not exceed 4" wide around openings and shall not exceed more than ½" projection from the adjacent wall surface.
- 2) Shingles.** Shingles shall be red cedar, and may be staggered, fish scale, saw tooth, or diamond patterns. Maximum exposure for wood shingles shall not exceed 6" to the weather.
- 3) Brick.** Brick may be clay or concrete. Concrete bricks must be split faced and of an approved color. Brick dimensions shall not exceed 4" in height or 8" in length. Bricks may be laid in any true bonding pattern, but stacked joints shall not be used. Joints shall not exceed ½" wide and shall be extruded or struck.
- 4) Stone.** Stone may be natural or cast.
- 5) Stucco.** Stucco will be permitted only if it appropriate to the style of the Architecture and if it is of a troweled fine sand float type, and must be painted. No other textures of stucco will be permitted.
- 6) Trim.** All doors, windows, vents, etc., shall have a minimum 1 x 4 trim on all sides.

c. Foundations. No foundation wall shall be exposed, except a maximum of 6" above grade, at house or garage. Front porches must show a skirt board and deck edge detail if not actually made of wood, or be clad in decorative masonry, i.e. stone, brick, etc.

d. Window Frames. Window frame materials shall be painted or natural stained wood, vinyl clad wood, or anodized painted aluminum. Rectangular window operation shall be single or double hung or hinged casement. Circular or hexagonal windows may be fixed or pivoted. Clerestory windows are acceptable only in the traditional usage and context. Multiple windows may be mulled together, although traditionally they would have a 4"-5" space between sashes for the window weights. Slit windows (i.e. 1"± x 4"± horizontal windows in bathrooms, typically above tubs) shall not be allowed. Sliding windows shall not be allowed above basement level, and if they are used as basement windows and are visible above grade, they must be screened by evergreen shrubs of sufficient size to conceal the windows from any view. Basement windows must have their head height

below skirt boards or top of foundation (whichever is lower) and cannot extend into main body of siding.

- e. Window Glazing.** No reflective glazing is permitted. No tinted glazing is permitted, other than very light tint that is not discernibly tinted when viewed from the outside. Stained or frosted glass is encouraged when used in a traditional manner. (such as in bathrooms)
- f. Doors.** All doors shall be hinged, except the garage doors. Sliding doors will be permitted only if facing the rear yard. Door materials shall be painted or stained wood, and certain pre finished metal or hardboard, simulating natural finished woods.
- g. Simulated Materials.** All simulated materials require approval by the DRC.
- h. Colors.** Colors of all exterior materials shall be in keeping with the design style of the residence, and subject to the approval of the DRC. A list of suggested paint color combinations is available upon request from the DRC, and Applicants are encouraged to review the suggested color combinations for inspiration. However, one or more of the suggested color combinations may not be suitable for a particular design or for use in combination with a particular building material, and so the DRC may not allow the use of one or more of the suggested color combinations if it regards the suggested color combination to be in aesthetic conflict with the particular design or other building materials being proposed by the Applicant.

6. Roof Requirements. The design, pitch, materials, colors, and the gutters and downspouts of roofs are regulated as follows:

- a. Design.** The roof on the main portion of the structure shall be a symmetrical gable or hip. A flat roof shall be permitted only as a habitable open deck attached to, and accessible through a door from a habitable upper floor of the main structure, or the permitted habitable upper floor of a permitted outbuilding. This deck shall be uncovered except for an overhang and enclosed with a continuous wooden balustrade, painted white. Dormers, and cupolas shall be roofed with a symmetrical gable or hip, covered with the same materials as the adjoining main roof, and may not be placed any closer than 36" to a side wall. A cupola may not exceed a base area of more than one hundred (100) square feet, nor be higher than ten (10) above the highest ridge of the supporting roof. The following roof designs are not permitted: Dome, parabola, barrel vault, mansard, and flat roof. Cantilevers are not permitted, except for open balconies.
- b. Pitch.** The pitch shall be no less than 6:12 nor more than 14:12. A shed roof covered with the same materials as the main structure and with a pitch of no less than 4:12 or more than 5:12 shall be permitted only on a one story structure attached to the principal structure, such as a wing or a covered open porch, which porch shall be enclosed by a continuous wooden balustrade, painted white.

- c. **Materials.** All roofing on a given Lot (excepting permitted flat roofs) shall be constructed utilizing only the permitted materials. Permitted materials are presently limited to asphalt shingles whether standard or profile, composite shingles or shakes, fire retardant cedar shingles or shakes, concrete shingles concrete shakes, clay and/or terra cotta tiles (flat only), natural slate, or metal tile, slate, shingle or shake or other metal designs approved by the DRC upon application. As construction materials and architectural applications are constantly advancing and improving, the DRC will review for approval any new type construction or materials application that is submitted.
 - d. **Color.** Roofing color preferences shall be medium dark charcoal, or other dark wood tone or natural color reflective of the material, i.e. wood shake, natural slate or material imitating that natural material. The DRC will review for approval any other color appropriate to the design and architectural aesthetics upon application.
 - e. **Gutters & Downspouts.** Gutters and downspouts shall be made of galvanized steel, copper or painted aluminum.
7. **Signs.** Homeowners may display a limited number of signs on their property, regardless of content, subject to the following restrictions:
- a. **Quantity.** No more than two (2) signs may be displayed on any lot at any one time.
 - b. **Size:** Each sign may not exceed twenty-four (24) inches by thirty-six (36) inches in size.
 - c. **Placement.** Signs must be placed entirely within the boundaries of the homeowner's lot and may not be affixed to common areas or association property.
 - d. **Condition.** All signs must be maintained in good condition and may not be damaged, faded, or unsightly.
 - 1. No approval is required for signs that meet these quantity and size limitations. Any sign exceeding these limitations requires prior written approval from the association.
 - e. **Internal Signs.** Internal signs which are visible through a window, door or other openings are not permitted.
 - f. **External Signs.**
 - 1) **Size.** Any external sign, where permitted by the Zoning Ordinance of the Town of Windsor, shall be in the style of the traditional "Shingle" and made of wood, not to exceed 18"x24" in size, with a thickness not to exceed 1 ½" maximum.
 - 2) **Color.** The typical Shingle sign is to be painted white with traditional style lettering no larger than 8" in height, painted in black or applied in gilt. The DRC will consider other traditional color combinations such as a burgundy red shingle with gilt lettering, a forest green shingle with gilt lettering, or a black shingle with gold

lettering. Signs may be mounted anywhere on a wall or may be hung perpendicular to a wall on black iron and/or gilded brackets in traditional style. Signs hung on brackets may be double reading.

3) Lighting. External signs may be front lighted only. All signs, lighting and mounting designs must be submitted to the DRC for approval.

4) Political Signs. Political signs may be displayed within the boundaries of the Lots during the sixty (60) days before and seven (7) days following election day. No more than one political sign per political office or ballot issue is allowed on a single Lot. The maximum size of political sign is the smaller of the size allowed by applicable local ordinance, if any, or 3 feet x 4 feet. "Political sign" shall mean a sign or banner that carries a message intended to influence the outcome of an election, including supporting or opposing the election of a candidate, the recall of a public official, or the passage of a ballot issue.

g. House Numbers. House numbers must be between 5" and 7" high, white, black, or brass and lighted by the porch light or some other indirect method. Any other designs or colors of a traditional style will be considered but must have specific approval of the DRC.

8. Mailboxes. All mailboxes will be Model 510K from Imperial Mailbox Systems, either the single- or double-box system. Imperial Mailbox Systems may be contacted at 1-800-647-0777. Callers should inform the sales person that they are ordering for the New Windsor/Brunner Farm Subdivision.

9. Lighting.

a. General Standards

1) All exterior lights must be fully shielded and directed downward to prevent glare and light trespass. Upward-facing floodlights or spotlights are prohibited. Use the lowest practical brightness: path lights ≤ 200 lumens, porch lights ≤ 800 lumens, and landscape accents ≤ 300 lumens. Motion-activated floodlights may be up to 1,200 lumens with an auto-off timer. Lighting should be warm white (3000K or lower) and turned off between 11:00 PM and 6:00 AM, except for motion-activated security lights (auto-off within five minutes) and low-level pathway lights. Color-changing effects, flashing, or animated patterns are not allowed outside holiday periods.

b. Strip Lights & Accent Lighting

1) All strip lighting requires prior District approval. Lights must be concealed or installed in shielded channels so diodes are not visible from the street or neighboring properties. Brightness should be similar to porch lighting, with dimmers required, and color temperature must remain warm white when not in holiday mode. Flashing, chasing, or color-changing effects are prohibited outside approved holiday dates, and all accent lighting must turn off by 11:00 PM.

c. Holiday Lighting

Holiday lighting is allowed during these periods:

- 1) Winter Holidays: Nov 15 – Jan 15
- 2) Independence Day: Jun 28 – Jul 7
- 3) Other observances require prior approval. Festive colors are permitted, but excessive brightness or rapid flashing is not. Lights must be off by 11:00 PM (midnight on Dec 24–25 and Dec 31–Jan 1). Temporary displays must be neat and removed promptly after the holiday window. Permanent systems may only display holiday colors during approved dates; otherwise, they must operate in warm white or remain off.

d. Safety & Prohibited Lighting

- 1) All fixtures must be UL-listed, outdoor-rated, and installed safely with GFCI protection. Avoid lighting near wildlife areas and minimize blue light to protect night skies. Prohibited lighting includes unshielded floodlights, upward-facing spotlights, lasers, searchlights, scrolling LEDs, and any lighting that creates nuisance, hazard, or trespass onto neighboring properties.

ARTICLE VI

Subdivision Landscape Standards

All landscaping features, whether or not they are required, shall be included on landscaping plan as proposed lot improvements for review by the DRC. Landscaping on any portion of the Lot visible from streets, public walkways, or open space from curb to the Dwelling Unit or any permitted wall is required to be installed by the owner pursuant to the Subdivision Landscape Standards set forth in this Article VI.

The goal of these landscape guidelines is to ensure a high level of visual quality to the New Windsor residents. This goal will be achieved by establishing standards for several items, including minimum requirements for front yard landscaping, rear and side yard landscaping, and fence design standards. The DRC shall review and approve all proposed lot improvements. This document, combined with the protective covenants for New Windsor, will be used to support that process. To encourage creativity in meeting the intention of these guidelines, the DRC reserves the right to waive any of these requirements.

All plant materials including trees, shrubs, and grasses shall be planted a minimum of 5' from all property lines.

1. Landscape Concept. The landscape concept for New Windsor conveys a sense of tradition, and is an extension of the Town of Windsor's small town character.

2. Definitions.

a. Front Yard. Any portion of the Lot visible from public streets, public walkways, or open space from the curb to a plane of the farthest setback facade which faces the street, not including any portion of the Lot which is fully enclosed by a rear yard fence. The front yard is generally the portion of the Lot which the front door accesses. (See Figure 1)

i. Non-permitted items in front yards include bollards, chairs, rope, pergolas, and fire pits. Headers may not exceed 12" in width and must be flush where they abut other paved areas. Acceptable header materials include: brick, Saltillo tile, Mexican tile, slump block, paver, concrete, steel, aluminum, or 2" x 4" redwood.

b. Side Yard. Side yards, which are required to meet these landscape standards, include any portion of a Lot which is immediately adjacent to and visible from a public street, a public walkway, or open space. The side yard shall be considered any portion of the Lot which extends from the curb or side property line to a plane of the farthest setback facade which faces the side street, public walkway, or open space not including any portion of the Lot which is fully enclosed by a rear yard fence. Where a rear yard fence does not exist, the side yard will be considered the area which does not fit into the definition of a

front or rear yard. The side yard is generally not directly accessed from the front door of the home. (See Figure 1)

- c. Rear Yard.** Any portion of the Lot from the rear property line to a plane of the farthest setback facade which faces the rear property line and that is not directly accessible from a public street or walkway, except on corner Lots. The rear yard fence may not extend beyond the plane of the farthest setback facade of the house which faces front property line. (See Figure 1)
- d. Detached Sidewalk.** A sidewalk which is not immediately adjacent to a curb and has a parkway planting area provided between the curb and sidewalk. (See Figure 2)
- e. Attached Sidewalk.** A sidewalk which is immediately adjacent to a curb without any planting area provided between the curb and sidewalk. (See Figure 3)
- f. Xeriscape** refers to a landscape that incorporates plants, hardscape, and turfgrass. While the New Windsor/Brunner Farms Metropolitan District, as well as most of Windsor, is considered high-plains desert, the landscaping of yards and common area should not be restricted to appear barren or without vegetation. A Xeriscape yard, planted with many species of beautiful drought-tolerant plants, can be lush and beautiful while enhancing the beauty and function of landscapes in the District. Xeriscapes cannot only beautify the neighborhood, but reduce cooling costs, create a sense of place, attract wild birds, butterflies, and many other desirable wildlife. Xeriscape yards make sense because they are one of the best water-efficient landscaping options.
- g. Zero scape** is a mispronunciation of the word Xeriscape. Zeroscape is a yard landscaped predominantly with gravel and dirt, containing few or no plants. This is not allowed for front yards in the District.
- h. Rock Ground Cover:** If decomposed granite or other landscape rock is used, it must be of an "earth tone" color not white, green, blue, purple, red or other bright colors. All rock areas shall be treated with pre-emergent weed control at regular intervals to prevent weed growth.
- i. Non-Vegetative Turf Grass (Artificial Turf):** Non-vegetative turf may be considered in back yards by the DRC provided it is warranted for a period of 10 years against discoloration and wear and is professionally installed. Non-vegetative turf grass (artificial turf) is not permitted in front or side yards. A sample of the product and a copy of the warranty must be submitted with the DRC application before installation. If the non-vegetative turf deteriorates to an unacceptable condition, as determined by the DRC, the homeowner will be required to remove and/or replace it.
- j. Artificial Plants:** Artificial plants are not permitted.

k. Fine Grading & Mounding: Fine grading is a critical aspect of landscaping. Each lot has been graded such that all stormwaters will drain away from the house. It is important that this drainage pattern is maintained when preparing the landscape design, especially if mounds and berms are proposed in the landscape design. In all cases, the installation must comply with the Districts grading and drainage plan. Mounding and other proposed grade changes will be closely scrutinized by the DRC to assure that mounding will appear natural.

l. Boulders: The use of accent boulders is encouraged. All boulders are to be buried 1/3 in the ground.

m. Hardscape: Hardscape refers to any constructed or built features within the landscape, including patios, landscaped walkways, sitting walls, retaining walls, water features, fire pits, landscape lighting, grill surrounds, pergolas, and other custom-built outdoor living spaces. These elements are considered part of the hardscape and are subject to review and approval.

3. Street Trees. Street trees are considered trees which delineate the public streets within New Windsor, and are indicated on the Town of Windsor's approved landscape plan for New Windsor. Street trees in locations where a detached sidewalk occurs shall be centered between the back of the curb and the front edge of the sidewalk. Street trees where an attached sidewalk occurs shall be setback 8' from the back edge of the sidewalk to the center of the tree trunk; this will provide a 4' clearance between trees and the public service utility lines. Lots with frontage onto one public street are required to provide one 2 ½" caliper street tree. Lots fronting onto two public streets are required to provide one 2 ½" caliper street tree along the narrow dimension of the Lot and two 2 ½" caliper street trees along the longer dimension of the Lot. Street tree species shall conform to the New Windsor approved landscape plan. Street tree locations may be adjusted in special situations where wrap-around porches and/or bay windows are proposed. Any adjustments to street tree locations shall be approved by the DRC.

4. Front Yard Landscaping.

Landscaping is required for all residential front yards and side yards visible from neighboring properties, streets, and common area and maintained.

a. Irrigation. Portions of the Lot subject to these landscape standards shall be fully irrigated with an automatic underground irrigation system. Please refer to individual lot soils reports and home builder warranty for any restrictions to landscape irrigation. A drip irrigation system is strongly encouraged for all xeriscape areas. Turf grass areas are encouraged to be watered with pop-up spray or rotating sprinkler head type of irrigation.

b. Sod. The District encourages water conservation. It is recommended that lawn turf grass installation be considered in areas where it can be used for play and high-plains desert landscaping in the remaining areas of the front and side yard property. Shrub

plantings are not permitted between the sidewalk and the curb. If desired, side yards may incorporate sod, but they are not required to do so.

All lawn turf grass must be mowed regularly and remain disease and weed-free.

- c. **Landscaping.** A minimum of one deciduous tree of not less than 2" caliper, or one evergreen tree of not less than 6 feet in height, plus a minimum of one flowering tree of not less than 1" caliper, and a minimum of twelve 5 gal. shrubs shall be installed within the front yard of each Lot. Lots fronting on two streets or one street and a public walkway, shall be planted with an additional six shrubs in the side yard. Plant materials required under this standard shall be listed on the landscaping plan and shall be chosen by those preparing the landscape plan. Refer to the attached planting details for suggested planting methods. DRC may grant variances in regard to number of required shrubs.
- d. **Planting Bed Mulch.** Shall have rock or organic mulch and weed barrier where required.
- e. **Edger.** Edger shall be required between all planting beds and turf areas to delineate the edges of shrub beds and prevent turf from spreading into shrub beds

5. Xeriscape Landscaping The District provides the following guidelines to help in Landscaping/Xeriscape design. Please refer to Exhibit B at the end of the DRC Guidelines for suggested Xeriscaping examples.

- a. Plant material in the xeriscape area (both newly installed and/or retained plants) must be identified as drought-tolerant plantings, at a typical mature size, and be allowed to consist of up to 80% of the area.
- b. A minimum of 50% of the total land area to be landscaped must be in non-grass; it is recommended to use the CSU Extension Plant Select website (plantselect.org) to help identify low water use plants that are preferable for our ecosystem, in unison with an organic and/or inorganic top dressing.
- c. Drought-resistant trees and shrubs must be the primary plants. (trees might provide a large percentage, but cannot account for all).
- d. Inorganic top dressing includes gravel, river rock, and decomposed granite. Organic top dressing includes bark, shredded bark or mulch.
- e. Fountains are allowed in the xeriscape area only if they are of a recirculating, cascading and non-spraying design.
- f. The landscape must be covered with a minimum of a 2" deep layer of organic or inorganic mulch (such as granite or rock). Other materials may qualify.
- g. A concrete surface cannot take up more than 20 percent of the area, excluding driveways.

6. Fence Standards.

- a. **Non-Mandatory Front Yard Fencing.** Front yard fencing shall be installed on the front property line or parallel to the front property line within 3 feet from the property line. Corner Lots must construct the fence so that it does not interfere with sight distance triangles at street intersections. Fences may be built in accordance with any one of the approved designs available from the DRC, or alternately of a design using any of the

following materials: Wood, PVC, Wrought-Iron, Brick, Stone or any combination thereof. Designs other than the approved designs must be submitted for review and approval by the DRC. Fencing shall be continuous with a minimum picket height of 36" and a maximum picket height of 48". Bottom of fence pickets shall be held up a minimum of 2", and a maximum of 4", from the finished ground elevation. Decorative fence posts may extend to a maximum height of 54" above the finished ground elevation at the base of the post. Pickets on Wooden and PVC shall be spaced no more than 3" apart. Wrought-Iron Pickets shall be spaced no more than 4" apart. Wooden front yard fences shall be either painted or stained solid white. If brick is incorporated into front yard fencing it should not be painted. Wrought-Iron shall be finished in a black, dark green or white color. (See Approved Fence Designs on following sheets)

b. Mandatory Rear Yard Property Line and Side Yard Property Line Fencing. Rear Yard Property Line and/or Side Yard Property Line Fencing is required for certain Lots. The effected Lots are those with rear and/or side yard property lines exposed to Weld County Road 15, those with rear yard property lines exposed to 11th Street, those with rear and/or side yard property lines exposed to pedestrian paths and/or bike paths or the north bank of the Greeley Number 2 Ditch, those Lots with rear and/or side yard property lines facing public parks or landscaped open Lots, and Lots backing up to the railroad right-of-way on the Northeast edge of the subdivision. The lots exposed to the railroad right-of-way may have a superseding requirement for mandatory fencing by the Town of Windsor. The Mandatory Rear and/or Side Yard Fencing is to be installed on the exposed property line, and made of white PVC, 48 inches in height, pursuant to Approved Fence Type 1.

Lots subject to the Mandatory Rear Yard Property Line Fencing include:

Block One:	Lots 1-6
Block Nine:	Lots 1-18 and 29-39
Block Ten:	Lots 1-14
Block Sixteen:	Lots 4-6 and 13-15
Tract A – Tenth Filing	
Block 2:	Lots 1-5
Tract B – Tenth Filing	
Block 1:	
	Lots 1-4 and 9 along railroad right-of-way

Lots subject to the Mandatory Side Yard Property Line Fencing include:

Block One:	Lot 1 - south side only
Block Nine:	Lot 1 - north side only; Lot 39 - east side only
Block Ten:	Lot 1 - west side only

Block Thirteen: Lot 8 - east side only Lot 13 - east side;
Block Fourteen: Lot 8 - west side only; Lot 10 - west side only

Tract A – Tenth Filing
Block 2: Lot 5 – north and east side

Tract B – Tenth Filing
Block 1: Lot 9 – south side only

- c. **Non-Mandatory Fencing.** Privacy fencing or privacy walls in the Front Yard Setback or Side Street Setback shall be the same height and location as required in Section 5 a-b. All other non-mandatory fencing and walls not in the Front Yard Setback or Side Street Setback shall be placed within 3’-0” of the nearest common property line. All fencing made of pickets, lattice, or boards, shall be constructed of white vinyl or of wood, painted white, with the same painted face on both sides. Garden walls may be of stone, smooth sand finished stucco, clay or concrete brick, 8” wide minimum, capped, and painted white. Brick or natural materials need not be painted. Iron shall be finished in a black, dark green or white color. Rear and Side Yard Property Line Fencing design shall be reviewed and approved on a case by case basis. No fences shall be higher than 6’. Solid vinyl or painted wood may be approved by the DRC.

Exhibit “A”
Attached to and made a part of
Design Guidelines and Architectural Standards for New Windsor

New Windsor
Front Yard Setbacks and Minimum House Square Footages

<u>Block</u>	<u>Lot</u>	<u>Setback</u>	<u>Minimum House Square Footage</u>	<u>Block</u>	<u>Lot</u>	<u>Setback</u>	<u>Minimum House Square Footage</u>
Block 1	1	28	1,800	Block 4	1	28	1,100
	2	28	1,800		2	28	1,100
	3	28	1,800		3	28	1,100
	4	28	1,800		4	28	1,100
	5	28	1,800		5	28	1,100
	6	28	1,800		6	28	1,100
	7	28	1,100		7	28	1,100
	8	28	1,100		8	28	1,100
	9	28	1,100	Block 5	1	28	1,100
	10	28	1,100		2	28	1,100
	11	28	1,100		3	28	1,100
	12	28	1,100		4	28	1,100
	13	28	1,100		5	28	1,100
	14	28	1,100		6	28	1,100
	15	28	1,100		7	28	1,100
	16	28	1,100		8	28	1,100
	17	28	1,100		9	28	1,100
	18	28	1,100		10	28	1,100
Block 2	1	28	1,100		11	28	1,100
	2	28	1,100		12	33	1,500
	3	28	1,100		13	33	1,500
	4	28	1,100		14	33	1,500
	5	28	1,100		15	33	1,500
	6	28	1,100		16	33	1,500
	7	28	1,100		17	33	1,500
	8	28	1,100		18	33	1,500
	9	28	1,100		19	33	1,500
	10	28	1,100		20	33	1,500
	11	28	1,100		21	33	1,500
	12	28	1,100		22	33	1,500
	13	28	1,100	Block 6	1	28	1,100
Block 3	1	28	1,100		2	28	1,100
	2	28	1,100		3	28	1,100
	3	28	1,100		4	28	1,100
	4	28	1,100		5	28	1,100
	5	28	1,100		6	28	1,100
	6	28	1,100		7	28	1,100
	7	28	1,100		8	28	1,100
	8	28	1,100		9	28	1,100
	9	28	1,100		10	28	1,100
	10	28	1,100		11	28	1,100
	11	28	1,100		12	28	1,100
					13	28	1,100

Exhibit "A"

Minimum House				Minimum House			
<u>Block</u>	<u>Lot</u>	<u>Setback</u>	<u>Square Footage</u>	<u>Block</u>	<u>Lot</u>	<u>Setback</u>	<u>Square Footage</u>
Block 6 cont'd.	14	33	1,500	Block 9	1	28	1,800
	15	33	1,500		2	28	1,800
	16	33	1,500		3	28	1,800
	17	33	1,500		4	28	1,800
	18	33	1,500		5	28	1,800
	19	33	1,500		6	28	1,800
	20	33	1,500		7	28	1,800
	21	33	1,500		8	28	1,800
	22	33	1,500		9	20	1,800
	23	33	1,500		10	20	1,800
	24	33	1,500		11	20	1,800
	25	33	1,500		12	20	1,800
	26	33	1,500		13	20	1,800
Block 7	1	28	1,100		14	28	1,800
	2	28	1,100		15	28	1,800
	3	28	1,100		16	28	1,800
	4	28	1,100		17	28	1,800
	5	28	1,100		18	28	1,800
	6	28	1,100		19	28	1,800
	7	28	1,100		20	28	1,400
	8	28	1,100		21	28	1,400
	9	28	1,100		22	28	1,500
	10	28	1,100		23	28	1,500
	11	28	1,100		24	30	1,600
	12	33	1,500		25	30	1,800
	13	33	1,500		26	30	1,800
	14	33	1,500		27	30	1,800
	15	33	1,500		28	30	1,800
	16	33	1,500		29	30	1,800
	17	33	1,500		30	30	1,800
	18	33	1,500		31	30	1,800
	19	33	1,500		32	30	1,800
	20	33	1,500		33	30	1,800
	21	33	1,500		34	30	1,800
	22	33	1,500		35	30	1,800
Block 8	1	28	1,100		36	30	1,800
	2	28	1,100		37	30	1,800
	3	28	1,100		38	30	1,800
	4	28	1,100		39	30	1,800
	5	28	1,100	Block 10	1	30	1,800
	6	28	1,100		2	30	1,800
	7	28	1,100		3	30	1,800
	8	28	1,100		4	30	1,800
	9	33	1,500		5	30	1,800
	10	33	1,500		6	30	1,800
	11	33	1,500		7	30	1,800
	12	33	1,500		8	30	1,800
	13	33	1,500		9	30	1,800
	14	33	1,500		10	30	1,800
	15	33	1,500		11	30	1,800
	16	33	1,500		12	30	1,800

Exhibit “A”

<u>Block</u>	<u>Lot</u>	<u>Setback</u>	<u>Minimum House Square Footage</u>
Block 10	13	30	1,800
cont'd.	14	30	1,800
	15	33	1,500
	16	33	1,500
Block 11	1	33	1,500
	2	33	1,500
	3	33	1,500
	4	33	1,500
	5	33	1,500
	6	33	1,500
	7	33	1,500
	8	33	1,500
	9	33	1,500
	10	33	1,500
	11	33	1,500
	12	28	1,400
	13	28	1,400
	14	28	1,400
	15	28	1,400
	16	28	1,400
	17	28	1,400
	18	28	1,400
	19	28	1,400
	20	28	1,400
	21	28	1,400
	22	28	1,400
Block 12	1	28	1,600
	2	28	1,600
	3	33	1,500
	4	33	1,500
	5	28	1,600
	6	28	1,600
Block 13	1	28	1,600
	2	28	1,800
	3	28	1,800
	4	28	1,800
	5	28	1,800
	6	28	1,800
	7	28	1,800
	8	28	1,800
	9	28	1,800
	10	28	1,800
	11	28	1,800
	12	28	1,800

<u>Block</u>	<u>Lot</u>	<u>Setback</u>	<u>Minimum House Square Footage</u>
Block 13	13	28	1,800
cont'd.	14	30	1,800
	15	30	1,800
	16	30	1,800
	17	30	1,800
	18	30	1,800
	19	30	1,800
	20	30	1,800
	21	30	1,800
	22	30	1,600
Block 14	1	30	1,600
	2	30	1,800
	3	30	1,800
	4	30	1,800
	5	30	1,800
	6	30	1,800
	7	30	1,800
	8	30	1,800
	9	30	1,800
	10	28	1,800
	11	28	1,800
	12	28	1,800
	13	28	1,800
	14	28	1,800
	15	28	1,800
	16	28	1,800
	17	28	1,800
	18	28	1,800
	19	28	1,800
	20	28	1,800
	21	28	1,800
	22	28	1,600
Block 15	1	33	1,500
	2	33	1,500
	3	33	1,500
	4	33	1,500
	5	33	1,500
	6	33	1,500
	7	33	1,500
	8	33	1,500
	9	33	1,500
	10	33	1,500
	11	33	1,500

Exhibit “A”

<u>Block</u>	<u>Lot</u>	Minimum House	
		<u>Setback</u>	<u>Square Footage</u>
Block 15 cont'd.	12	33	1,500
	13	33	1,500
	14	28	1,400
	15	28	1,400
	16	28	1,400
	17	28	1,400
	18	28	1,400
	19	28	1,400
	20	28	1,400
	21	28	1,400
	22	28	1,400
	23	28	1,400
	24	28	1,400
	25	28	1,400
	26	28	1,400
Block 16	1	28	1,400
	2	28	1,400
	3	28	1,800
	4	28	1,800
	5	28	1,800
	6	28	1,800
	7	28	1,800
	8	28	1,400
	9	28	1,400
	10	28	1,400
	11	28	1,400
	12	28	1,800
	13	28	1,800
	14	28	1,800
	15	28	1,800
	16	28	1,800
	17	28	1,400
	18	28	1,400
<hr/>			
Tenth Filing			
Block 1	1	*	1,500
	2	*	1,500
	3	*	1,500
	4	*	1,500
	5	*	1,500
	6	*	1,500
	7	*	1,500
	8	*	1,500
	9	*	1,500
<hr/>			
Tenth Filing			
Block 2	1	*	1,500
	2	*	1,500
	3	*	1,500
	4	*	1,500
	5	*	1,500

*Setbacks on each lot shall be determined by the Town of Windsor Planning & Zoning

Exhibit “B”

Resources for xeriscaping

Low-water lawn options:

- Dog Tuff turf: <https://plantselect.org/plant/cynodon-pwin04s/>
- Tahoma 31 Bermudagrass: www.gvt.net

Resource Central has several resources including **Garden in a Box**, these sell out early, you need to be proactive by signing up well in advance, you can get a \$25 discount for Windsor Water customers:

<https://resourcecentral.org/> also <https://resourcecentral.org/gardens/>

Plant Select -- The plants in this list are low water and or xeric, they do very well in our climate, and have been rated as top plants for landscapes

- <https://plantselect.org/> (plant list and other resources)
- <https://plantselect.org/design/downloadable-designs/> (see several low water/xeric designs)

CSU Extension service fact sheets for low water/xeric plants

- <https://extension.colostate.edu/topic-areas/yard-garden/xeriscaping-retrofit-your-yard-7-234/>
- <https://extension.colostate.edu/topic-areas/yard-garden/xeriscaping-creative-landscaping-7-228/>
- <https://cmg.extension.colostate.edu/Gardennotes/657.pdf> (water mature trees)
- <https://static.colostate.edu/client-files/csfs/pdfs/droughttrees.pdf> (drought tolerant trees)
- <https://extension.colostate.edu/topic-areas/yard-garden/xeriscaping-trees-and-shrubs-7-229/>
- <https://extension.colostate.edu/topic-areas/yard-garden/xeriscaping-perennials-and-annual-flowers-7-231/>

Town of Windsor Resources

- Kevin Hartley, Water Efficiency Specialist, Town of Windsor, Colorado, Community Development | Water Efficiency: khartley@windsorgov.com (he is your in-person free resource)
- <https://windsorgov.com/DocumentCenter/View/1061/Tree-and-Landscape-Standards?bidId=> (recommended trees begin on page 40, drought tolerant shrubs and trees are on page 44)

Northern Water has several demonstration gardens that are low water and xeric for ideas and information.

- <https://www.northernwater.org/Home/Page/4ed01322-d43f-4b18-8e56-5eee73a4455b>

City of Fort Collins there are many resources on the following website:

- <https://www.fcgov.com/utilities/residential/conservewater/water-efficiency/xeriscape/incentive-program/resources/>

High Plains Environmental Center Native Plant Nursery:

Exhibit “B”

Resources for xeriscaping

- <https://suburbitat.org/native-plant-nursery-sustainable-stormwater-demo-area/>

Colorado State Statutes:

[Colorado Legal Resources | Statutes Document Page \(lexis.com\)](#) Section (11)(a)

(I) Any section of a restrictive covenant or of the declaration, bylaws, or rules and regulations of a common interest community, all as defined in section 38-33.3-103, and any rule or policy of a special district, as defined in section 32-1-103 (20), that prohibits or limits xeriscape, prohibits or limits the installation or use of drought-tolerant vegetative landscapes, requires cultivated vegetation to consist wholly or partially of turf grass, or prohibits the use of nonvegetative turf grass in the backyard of a residential property is hereby declared contrary to public policy and, on that basis, is unenforceable. This subsection (11)(a) does not prohibit common interest communities or special districts from adopting and enforcing design or aesthetic guidelines or rules that apply to drought-tolerant vegetative or nonvegetative landscapes or regulate the type, number, and placement of drought-tolerant plantings and hardscapes that may be installed on property that is subject to the guidelines or rules; except that the guidelines or rules must not prohibit the use of nonvegetative turf grass in the backyard of a residential property.

(II) This subsection (11)(a), as amended by House Bill 21-1229, enacted in 2021, does not apply to an association that includes time share units, as defined in section 38-33-110 (7).

[Colorado Legal Resources | Statutes Document Page \(lexis.com\)](#) Section (1)(i)(I)

(A) The use of xeriscape, nonvegetative turf grass, or drought-tolerant vegetative landscapes to provide ground covering to property for which a unit owner is responsible, including a limited common element or property owned by the unit owner. Associations may adopt and enforce design or aesthetic guidelines or rules that apply to nonvegetative turf grass and drought-tolerant vegetative landscapes or regulate the type, number, and placement of drought-tolerant plantings and hardscapes that may be installed on a unit owner’s property or on a limited common element or other property for which the unit owner is responsible. An association may restrict the installation of nonvegetative turf grass to rear yard locations only.

(B) This subsection (1)(i), as amended by House Bill 21-1229, enacted in 2021, does not apply to an association that includes time share units, as defined in section 38-33-110 (7).

Resources for xeriscaping
