

# **The Vistas at Chaparral**

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Homeowner Design Guidelines

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## **PURPOSE**

The goal of these Vistas at Chaparral Homeowner Design Guidelines (the “Chaparral Design Guidelines”) is to provide general design criteria and guidance for new and future homeowners for future enhancement of your home and visual compatibility to your home’s particular architectural style.

The Vistas at Chaparral Architectural Review Committee (“ARC”) has jurisdiction over design and aesthetic aspects of the Property. “Property” is defined as all real property covered by the Covenants and Restrictions of the Vistas of Chaparral recorded on January 25, 2021 at reception number 221014737 in the El Paso County real estate records (the “Covenants”), and as may be amended from time to time. All terms defined herein shall have the same meaning as ascribed to them in the Covenants unless defined herein. The Property includes your Unit. The ARC is a committee established and appointed by the Chaparral Pointe Metropolitan District (“CPMD”) as provided in Article 2 of the Covenants.

The ARC must approve all plans for any alteration of the exterior of the Unit or the Improvements, including architectural or landscape modifications *before* the modifications are made. The ARC also has the right to review modifications as they are constructed and give final approval of completed modifications.

The ARC may, from time to time, adopt additional, and/or amend existing standards.

## **BUILDER DESIGN GUIDELINES**

### Residential Architecture

#### A. DECKS, BALCONIES AND COVERED PATIO

The design of elevated decks, balconies and covered patios including colors and materials should be consistent with the main structure. All vertical elements (railings, supports and columns, fascia and overhead structures) should be finished consistent with the exterior architectural style. Columns and/or supports are encouraged to appear substantial and proportionate to the building mass of the home.

#### B. PATIO COVERS

Must be consistent with architectural style and character of the home. Acceptable covers:

- i. Sloping roof element with roofing to match home.
- ii. Flat with parapet.
- iii. Trellis Cover.
- iv. Columns/posts shall be 6 x 6 minimum and shall be detailed same as all other columns/posts on exterior elevations of home.

#### C. ACCESSORY BUILDINGS

Accessory structures are not allowed on the Unit per the Final Plat for Vistas at Chaparral. Prohibited structures include:

- i. Cabanas and Pool Houses.
- ii. Storage sheds.
- iii. Guest Casitas.

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- iv. RV Tarps or Shelters.
- v. Detached Garages (unless platting allows).

D. RESIDENTIAL LANDSCAPING

- i. Rock and mulch must use fabric weed barrier and edging.
- ii. Owner of each Unit shall install landscaping on such Unit within one hundred eighty (180) days after acquisition of the Unit if the acquisition occurs between April 1 and July 31. If such acquisition does not occur between April 1 and July 31, landscaping must be installed by the following June 30.

PLAN SUBMITTAL PROCESS – BUILDER

A. DESIGN REVIEW

The intent of the design review process as described below is to ensure that residential neighborhoods developed within the Planned Community contribute to the character and quality envisioned for the Planned Community.

In order to ensure a consistent, high quality and integrated design throughout all phases of the Planned Community, the ARC will review and approve the proposed plans prior to submission to Pikes Peak Regional Building Department and the Colorado Springs Planning Department. A design review process has been established to review architecture and landscape design for conformance to these Chaparral Design Guidelines.

These Chaparral Design Guidelines are a supplement to the Covenants and all applicable government Codes and Regulations.

The Guidelines do not supersede or modify any existing applicable City of Colorado Springs Codes or Regulations. Any requests for variances to the laws, regulations, or standards adopted by the City shall be submitted to the appropriate municipal agency according to established procedures following review and approval by the Architectural Review Committee. In the event of conflict or discrepancy, or for subjects not addressed herein, or as part of the Development Agreement and Guidelines, the municipal regulations and codes take precedence, and the most restrictive standards shall apply. Provided that ARC acts in good faith, neither ARC nor any representative thereof shall be liable to any applicant or any other person for any damage, loss or prejudice suffered or claimed on account of the review of plans, specifications or materials. The review and delivery of a form of approval or disapproval is not to be considered an opinion as to whether or not the plans are defective or whether the construction methods or performance of the work proposed therein is defective, or whether the facts therein are correct or meet the City of Colorado Springs building codes.

B. SUBMITTAL REQUIREMENTS

See form attached hereto and incorporated herein.

C. SUBMITTAL REVIEW RESPONSE TIME

After a submittal is accepted as complete and meets all requirements, the ARC's approval or disapproval shall be given within a reasonable time, not to exceed forty-five (45) business days after submittal acceptance. If the ARC does not provide a response within said forty-five (45) business day period, the submittal shall be deemed approved.

D. APPROVALS AND RE-SUBMITTALS

All submittals reviewed by the ARC to be stamped as follows:

- i. APPROVED: Plans meet all ARC requirements
- ii. APPROVED AS NOTED: Plans meet all or most of ARC requirements, but may contain some minor items in need of clarification or correction. Plans will also be stamped APPROVALS AS NOTED if the ARC wants to inform the applicant of certain conditions that may affect other plan submittals or construction improvements. If minor corrections are required, revised plans must be resubmitted for ARC files.
- iii. ADDRESS COMMENTS AND RESUBMIT: Plans contain significant deviations or deficiencies from ARC requirements and must be corrected or clarified before ARC will grant approval. All resubmittals to ARC must be a complete plan set and must address each comment and any change to the plans in writing. Partial resubmittals of corrected sheets only, will not be accepted.
- iv. DENIED: Plans contain items that are not allowable under ARC standards or Chaparral Guidelines. CONSTRUCTION SHOULD NOT BEGIN ON ANY IMPROVEMENTS UNTIL ALL SUBMITTALS FOR THAT TYPE OF IMPROVEMENT HAVE BEEN APPROVED. Any change to the plans after ARC approval including those not specifically requested by the ARC, must be re-submitted for approval with the changes noted. Upon receipt of submittal comments, the applicant may contact ARC to schedule a meeting to review and address such comments in further detail. The ARC will make periodic in-progress inspections of construction to ensure compliance with the approved construction documents, plans and Guidelines. The Builder will provide the ARC with a written NOTICE OF CONSTRUCTION at least 7 calendar days prior to the start of construction.

## **HOMEOWNER DESIGN GUIDELINES**

### **SPECIFIC ARCHITECTURE & LANDSCAPE GUIDELINES**

#### Exterior Lighting

- Exterior lighting must be of low illumination level. Dark Sky Lighting Principles (as defined below) should be utilized.  
Exterior solar low illumination lighting is pre-approved and does not need ARC approval. All other exterior lighting must have ARC approval.
- The Dark Sky Lighting Principle is a way of using lighting (or the lack of lighting) to eliminate pockets of

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dark and light. Contrasting pockets of dark and light causes users' eyes to adjust more slowly as they pass in and out of these areas. The goal of dark sky lighting is to see the item being lit (the house/porch) and not the light itself. The human eye automatically focuses on the brightest light source in range, and adjusts to that accordingly. When you eliminate glare and create an environment with relatively even light levels, the human eye can see very clearly in much less light than you would imagine.

#### Fences

- Fences of chain link, poultry wire, aluminum, sheet metal, plastic, fiberglass, reeds, straw, bamboo, rope and other similar temporary or commercial materials are not permitted.
- Earthtone vinyl or wood 3 or 4 rail fencing is allowed.
- Solid wood fencing that becomes discolored may be required to be stained the natural color of the wood.
- No double fences shall be allowed along the same property line.
- Fencing shall not exceed four (4) feet in height.
- Privacy fencing on the lot line is not allowed however a privacy patio screen may be approved if submitted to the ARC.
- Community perimeter fencing bordering WMD Property shall not be replaced with any other type of fencing other than what was installed by the Builder or installed, or caused to be installed by WMD.

#### Pet Enclosures

- Pet enclosures (i.e., dog runs) must be submitted to the ARC for review for all Residential Units. Standard type dog houses are allowed and do not need ARC approval as long as they do not exceed four (4) feet in height.
- Pet Enclosures should not be any higher than adjacent fencing. Four (4) feet when adjacent to cross buck fencing, or six (6) feet when adjacent to certain perimeter fencing.
- Chain link enclosures are not allowed.
- Wire mesh may be attached to existing cross buck fencing to enclose small pets using the following criteria:
  - Wire fencing shall not exceed the height of the top horizontal rail of cross buck fencing. Wire fencing may extend below the bottom horizontal rail to ground level or shall terminate at the bottom of the bottom horizontal rail of cross buck fencing.
  - Wire fencing shall be attached to the cross buck fencing rails using secure fasteners located no more than twelve (12) inches on center and fasteners shall be of a material coated to prevent rust and staining of cedar.
  - Wire fencing shall be installed on the Owner yard side of the cross buck fencing.
  - The wire fencing type should be 14 Gauge Galvanized Welded Wire Fence with two (2) inch by four (4) inch openings, which is available through many manufacturers.

#### Maximum Heights

- The maximum building heights of all Improvements shall be consistent with the standard of El Paso County, the City of Colorado Springs and/or any other applicable governmental agency.

#### Trees

- The sidewalks are attached to the back of the curb. No trees lawns or street trees are allowed.

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- Feeding, maintaining, and irrigating the trees and landscaping in the Unit yard is the Owner's responsibility. Each Owner shall maintain all landscaping on the Unit, in a neat and attractive condition, including periodic and horticulturally correct pruning, removal of weeds and debris and replacement of landscaping.

#### Pools and Spas

- Spas and similar water features such as hot tubs are permitted in rear yards without ARC approval if they are at least five (5) feet from any fencing, are toned in color to compliment the exterior of the home or are screened with landscaping. A spa or other similar water feature must not damage existing walls or fences. All equipment shall be completely screened from view from publicly visible areas, and all reasonable efforts to minimize noise must be undertaken by the Owner.
- Privacy structures and fencing for spas require ARC approval for all Units. Privacy structures and fencing should complement the exterior style and color of the home and/or existing fencing. Privacy fencing is allowed in certain areas, subject to "Fences" above, but privacy fencing is not allowed on the lot line.

#### Screen Doors

- Screen doors on the front door entrances shall be painted to match the color of the front door and the style must conform to the architectural character of the home. Screen doors do not need ARC approval if this criteria is met.

#### Storage Sheds/Utility Buildings

- Are not permitted.

#### Window Awnings

- Awnings must be submitted to the ARC for approval. Awnings must be compatible with the color and design of the existing home. They must be simple in design and color. The size, location, and form must be in scale with the window. Awnings must be properly maintained to the satisfaction of the ARC and may not be kept when frayed, spilt, torn, or faded. Temporary sun shades attached to the outer wall of the house, patio cover, or gazebo such as rolls of bamboo, fiberglass or reed are not permitted.

#### Flag Poles

- The installation of flags and flag poles shall be submitted to ARC review and approval and will also require approval from the City of Colorado Springs Planning Department. The Owner is responsible for obtaining any City of Colorado Springs approvals necessary for installation of flags and flag poles and must submit the approval to the ARC prior to any installation.

#### Front Yard Garden Art

- Front yard garden art exceeding two (2) feet in height must be approved by the ARC. A photograph of the anticipated front yard garden art must accompany the request.

#### Satellite Dishes/Antennae

- All satellite dishes, MMDS (An antenna designed to receive (wireless cable) programming services via multichannel, multipoint distribution services); and DBS (An antenna designed to receive direct

broadcast satellite service antenna) that are one (1) meter (a/k/a 39 inches) in diameter or less are permitted and do not require ARC approval. Please note, it is suggested to not screw through roof shingles to prevent leaks.

- Antenna larger than one (1) meter (a/k/a 39 inches), except TVBS (An antenna designed to receive over-the-air television broadcast signals), are generally prohibited and must be submitted to the ARC to be reviewed on a case by case basis.

#### Solar Energy Systems

- Each Owner may install a solar energy system which serves his/her Unit so long as (a) the design and location of the solar energy system meets the requirements of all applicable governmental ordinances and (b) said design and location receive the prior written approval of the ARC.
  - Energy systems must be integrated into the roof design, to respond to the roof slope, and designed to minimize the profile of the collector.
  - Frames must be colored to compliment the roof.
  - Natural aluminum frames are prohibited.
  - Support for solar equipment shall be located in a manner which minimizes visual and noise impact.

### **PREAPPROVED IMPROVEMENTS**

#### Address Sign

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

#### Basketball Backboards

- The ARC has determined the following:
  - No permanent basketball goals, hoops, backboards or nets shall be installed in the front yard of a Unit.
  - Basketball backboards that are free-standing and portable are not allowed in the public right-of-way, streets, sidewalks, parkways or driveway aprons. These backboards must be stored away from view when not in use.

#### Exterior Solar Lighting

- Exterior solar low illumination lighting is pre-approved and does not need ARC approval. All other exterior lighting must have ARC approval.

#### Playground Equipment

- The ARC has determined that no permanent playground equipment, trampolines or trampoline fences, or similar sport equipment shall be installed in the front yard or side (if the lot is wide enough) of a Unit. Permanent playground equipment, trampolines or trampoline fences or similar sport equipment may be installed in the rear yard of a Unit without ARC approval if they are at least five (5) feet from any property line and do not make use of neon color tones. Playground

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equipment may not exceed ten (10) feet in height.

## **MISCELLANEOUS ITEMS**

### Holiday Lighting and Decorations

- Placement and display of holiday lighting and decoration is permitted without ARC approval from October 15<sup>th</sup>-through January 31<sup>st</sup> only. Holiday lighting and decorations at any other time of the year, requires ARC approval.

### Unightly Items

- All weeds, rubbish, debris, or unsightly materials or objects of any kind shall be regularly removed from the Unit and shall not be allowed to accumulate thereon. All clotheslines refuse containers, wood piles, storage areas, machinery, and equipment shall be prohibited upon any Unit unless obscured from view of adjoining streets, Units, sidewalks, homes, or WMD Property.

### Trash/Recycle Cans

- Must be stored in the garage or screened from view of street, common areas and adjacent neighboring properties, behind the fence. Trash cans and recycle cans are permitted to be on the street the day before and the day of pickup. All trash cans and recycle cans must be removed on the day of pickup and stored as designated above.

***Conditions not defined: Any condition or material not defined within these Homeowner Design Guidelines shall be a matter of judgment on the part of the ARC.***

## **COMMUNITY GUIDELINES**

### **Vehicle Parking Guidelines**

1. Mopeds and motor bikes are subject to vehicle code restrictions and are limited to travel on public streets (i.e., both driver and motor bike must be licensed if required by state and local laws).
2. No Owner shall conduct repairs to any vehicle upon their Unit unless performed in a closed garage.

### **Sign Guidelines**

Please see Section 3.6 of the Covenants in regards to the Sign Guidelines. In addition to those Sign Guidelines, the ARC has determined the following regarding "Open House" and "Garage Sale" signage within the Property.

1. Only one (1) sign (in total) per corner on major streets (a major street is defined as any street outside of the various developments). At a four-way intersection, there are four corners where one (1) sign may be placed on each corner.
2. Signs may not remain on Property overnight.
3. Signs not complying with these Chaparral Design Guidelines may be summarily removed by CPMD.

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4. The following criterion applies to “Open House” signs.  
(a) Owners (or their agents) wishing to advertise “Open House” for the purpose of selling their homes, must use a sign of not more than five (5) square feet in the aggregate.
5. The following criteria applies to “Garage Sale” signs:  
(a) Owners (or their agents) wishing to advertise “Garage Sale” for purposes of selling their goods must use a sign of not more than five (5) square feet in the aggregate.

**Pet Guidelines**

1. When not within the front or back yard of Owner’s Unit, all dogs shall be kept on a leash and in control of the Owner.
2. Each pet owner shall clean up all waste deposited by their animals upon Property, sidewalks, property of other Owners, and their own property.
3. Excessive dog barking or other animal noise may be deemed a nuisance.

**FORMS**

See Exhibit A for Design Review Request Form.

**Design Review Request Form**

# CHAPARRAL POINTE METROPOLITAN DISTRICT

## Design Review Application Form

c/o CliftonLarsonAllen LLP  
8390 E. Crescent Parkway, Suite 500  
Greenwood Village, Colorado 80111  
(303)779-5710 phone

|                                   |  |
|-----------------------------------|--|
| Received: _____                   | <b>Internal Use Only</b><br>Sent to Committee: _____ |
| Response sent to Owner _____      | Verification of Install _____                        |
| Notes:<br>_____<br>_____<br>_____ |  |

### APPLICANT INFORMATION

NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ DATE: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

PROJECT START DATE: \_\_\_\_\_ PROJECT COMPLETION DATE: \_\_\_\_\_

### PAINTING:

FIELD COLOR  
(name/ number)

TRIM COLOR  
(name/ number)

DOOR COLOR  
(name/number)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Brick/Masonry Color: \_\_\_\_\_ Roof Color: \_\_\_\_\_ Front Door Color: \_\_\_\_\_

Garage Door – Field or Trim Color? \_\_\_\_\_ Same Color as Neighbors? \_\_\_\_\_

**LANDSCAPING:** (Original installation, removal, replacement or addition trees, lawn, hedges, plants, paving stone, walls, etc.) Describe color and type(s) of materials to be used and the manner of their use (please include drawings):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**STRUCTURAL:** (Roofs, gutters, additions, fences, driveways, walkways, skylights, windows, etc.) Describe type(s) and use of materials. Detailed horizontal and vertical drawings, site plan and evaluation drawings must be submitted. City of Colorado Springs permit may be required.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### NOTES:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Contractor Name: \_\_\_\_\_ Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Please return this form, with all drawings, material listing and/or samples and photographs of the area to be improved to CliftonLarsonAllen at the address above or to [Krista.Baptist@CLACONnect.com](mailto:Krista.Baptist@CLACONnect.com) As a reminder, submittal of this form does not mean automatic approval. The Architectural Review Committee has 45 (forty-five) days to make a decision regarding the submittal once it is considered complete. Should the Committee fail to respond within the 45 (forty-five) day time frame outlined in the District's Legal Documents and the homeowner have proof of receipt of the request by CliftonLarsonAllen (such as a signed receipt or signed return receipt from registered or certified mail), approval shall not be required and the Legal Documents fully complied with. Please refer to the Declaration of Covenants, Conditions and Restrictions.