



## DESIGN GUIDELINES

Independence Overlay District

November 7, 2024

(Rev D)

## Document Change History

Version Number	Version Date	Revision Description
-	October 28, 2019	First draft of the document
Rev A	December 26, 2023	<ul style="list-style-type: none"><li>Updated Design Review Fee from \$200 to \$250 to cover increased Architectural Review Fee for 2024</li></ul>
Rev B	April 16, 2024	<ul style="list-style-type: none"><li>Updated language in Exterior Lighting; pages #27 &amp; Item #18 on pages #35 and #36 – references to “JellyFish Lights”</li></ul>
Rev C	June 12, 2024	<ul style="list-style-type: none"><li>Removed prohibition of vegetable, herb, and fruit gardens from rear yards of lots backing to open spaces (page #23)</li></ul>
Rev D	November 7, 2024	<ul style="list-style-type: none"><li>Increase of Design Review Fee from \$250.00 to \$300.00 (page #40)</li></ul>



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## INTRODUCTION

These Design Guidelines are a tool to help promote, guide, and regulate the quality, design and look of the outdoor/exterior improvements at Independence so they fit with the overall design intentions for the community. The purpose is to provide an attractive, safe, sustainable, and quality residential living environment that fits with the location, site, community, and landscape for the long term.

The authority for these Design Guidelines is set out in Section 4.9 of the Declaration of Covenants, Conditions and Restrictions (CC&R's) of Independence. Under this section, the Architectural Control Committee (ACC) established by the Independence Overlay District has the authority to develop and use these Design Guidelines to interpret and implement the design review provisions of the Declaration. The Design Guidelines are only effective once approved by the Board of Directors of the Independence Overlay District and may be amended from time to time.

## INTENTION FOR INDEPENDENCE

Independence is planned to be a desirable residential community perfectly situated in the high prairie of the front range, southeast of Denver between Parker and Elizabeth Colorado within Elbert County. Located 10 miles from downtown Parker, 30 miles from downtown Denver and 7 miles from Elizabeth, Independence is far enough out to be "in the country," yet close enough to enjoy city amenities and employment. For everyone, there is a moment along the drive from Parker to Independence when you leave the city behind, feel the urban stresses disappear, and enter the rural countryside. When you near Independence with its rolling hills, long vistas, acres of open space, preserved historic farmstead and sustainable development, you'll know you have arrived at a special place in Colorado that you hoped still existed. Better yet, it's a place that you can call home.





The design intention at Independence is to create a residential community with purpose, care, thoughtfulness, and diligence that creates a special rural residential living environment that enhances people's lives while fitting into the landscape. The vision is not to simply create another subdivision, but instead to create a destination residential community that fits like a glove with the context, location, site, history, and landscape while providing a superior residential living environment for its residents. Through a combination of intentional, thoughtful design, management, administration and execution, Independence strives to be an inclusive community that achieves this vision. Attractiveness, quality, safety, sustainability, durability, practicality, and operating costs are all important considerations. The

intention is all about what will "fit" for the long term. The design philosophy for Independence comes down to the following:

- *Does it respect and springboard from the character of the site and the historic farmstead?*
- *Does it respect the location and the environment?*
- *Is it sustainable and well thought out?*
- *Is it the right thing to do for the long term, here, now and for the future?*
- *Does it reinforce and create a superior residential living environment in a unique high prairie, front range, historic farming and ranching location 30 miles from downtown Denver?*

## SUSTAINABILITY



Part of the vision for Independence focuses on sustainability and making thoughtful design decisions that encourage, facilitate, promote, foster, and respect environmental consciousness and overall sustainability. These include, but are not limited to water conservation, soil conservation, energy efficiency, reducing solid waste, re-use and recycling, sensitivity to carbon emissions, use of smart technologies, etc.

Independence also encourages owners and builders to follow the guidelines established by the 2018 International Energy Conservation Code (IECC) Chapter 4 to meet the sustainability goals of the community. Chapter 4 provides requirements for the thermal envelope of the building, including minimum insulation values for walls, ceilings and floors, maximum fenestration (window) U-factors; and methods for determining building assembly and total U-factor. Since Independence is in Climate Zone 5, the minimum ceiling insulation R-value will be the code requirement at the time of permit submission; however, builders and owners are encouraged to follow the guidelines in the 2018 IECC to improve the energy efficiency of each home and the broader community as a whole. Chapter 4 of the 2018 IECC recommends a fenestration (window) U-factor of 0.30, a ceiling R-value of 49, and a wood frame wall R-value of 20 or 13+5 (R-13 cavity insulation plus R-5 continuous insulation).



## CONTENTS OF THE GUIDELINES

The key topics addressed in the Design Guidelines are:

- Intention for Independence
- An Overall Design Aesthetic for Independence
- Creating Visually Interesting Streetscapes
- Architectural Guidelines
- Landscape Guidelines
- Irrigation with Reclaimed water
- Fences
- General Guidelines
- Design Review Administration

### Independence Design Aesthetic

The overall design aesthetic for Independence can be characterized by image producing words as follows:

<i>Conservation</i>	<i>Unique</i>	<i>Windmill</i>	<i>Old Fence Posts</i>
<i>Rustic</i>	<i>Horse, steer</i>	<i>Front Porch</i>	<i>Gable ends and roofs</i>
<i>Historic</i>	<i>Weathered, worn, used</i>	<i>Wicker Swing Chair</i>	<i>Stone</i>
<i>Farmstead</i>	<i>Patina</i>	<i>Fruit Trees in bloom</i>	<i>Garden</i>
<i>Ranch</i>	<i>Rusty</i>	<i>Big Pine trees</i>	<i>Green</i>
<i>Colorado</i>	<i>Wooden, wood</i>	<i>Contemporary</i>	<i>Nature, sky</i>
<i>Home</i>	<i>Authentic, Real</i>	<i>Picnic on a lawn</i>	<i>Wildlife, birds</i>
<i>Country</i>	<i>Farm fresh vegetables</i>	<i>Horseshoes</i>	<i>Open spaces</i>
<i>High prairie</i>	<i>Fit, natural, right</i>	<i>Cool drink on a hot day</i>	<i>Recycling</i>
<i>Mountain Views</i>	<i>Leather saddle, harness</i>	<i>Barn boards</i>	<i>Rolling hills</i>
<i>Sustainability</i>	<i>Water Conservation</i>	<i>Walkways, Trails</i>	<i>Health, Wellness</i>

The challenge is to translate these words and images into a design aesthetic and guidelines that will effectively guide the design, construction, installation and maintenance of the Independence community.

There is an overall design aesthetic to inform decisions about design elements that must be incorporated, reflected and implemented. There are also design aesthetic elements that are not in keeping with these, or that take away from, detract from, or that go in the wrong direction of the desired design aesthetic. The whole is the sum of many parts, and the more parts that are in line with the design aesthetic, the truer and more authentic the result will be.

The goal is to implement a design aesthetic that fits with the site, location, site history and landscape, that seeks to be real, authentic, pays homage to the traditional, even if reinterpreted in contemporary ways. The design aesthetic for Independence is intended to be implemented in the scale, proportion, massing, positioning, details, materials, colors, look and feel so that the resulting community fits with this vision statement:

*“An Historic Colorado Farmstead Ranch Transformed into a Sustainable Residential Conservation Community Nestled in the Rolling Hills of the High Prairie”*



## CREATING VISUALLY INTERESTING STREETSAPES



One of the key design elements of any community is its corresponding streetscape. First and foremost, each Independence street should encourage safety and outdoor play for children and families.

The streetscape is made up of multiple components: architecture, landscape, engineering, utilities, fences, and other miscellaneous elements. The idyllic vision of a street does not include prominent garages and driveways, cookie cutter box-like homes, mono-chromatic materials or colors and sparse landscaping.

## FRONT ENTRIES & PORCHES



Thoughtfully designed front entries and porches visible from the street contribute to neighborhood character and help promote community. Doors and entries that are well-proportioned and compatible with preferred architectural styles are key neighborhood design elements. Front porches play an important role in creating a gracious transition from outside to inside while providing shelter from inclement weather.

### Standards

- The primary entrance shall be visible from the street.
- The primary entrance shall be from a covered porch.
- The primary entrance and porch should be in proportion and character to the front elevation of the principal building.
- Front porches and entrance areas should be kept free of clutter and be well-maintained.

## LOT LAYOUT

In general, there are two lot types for single-family detached homes. Lots are generally found in the following ranges relative to street frontage:

- Alternative Lots – Lots smaller than 70' wide, width measured at either the front or rear set back.
- Standard Lots – Lots not less than 100' deep and 70' wide, width measured at either the front or rear set back.

### Standards

- Lot setbacks shall conform with approved standards set forth by the PUD documents.

# ARCHITECTURAL GUIDELINES

The architectural guidelines for Independence provide guidance for the design and construction of homes, additions, accessory structures, community buildings and other built elements to ensure they fit with the overall design aesthetic intended for Independence. A simple test for any proposed structure is to ask: “Does it fit with Independence?”

## ARCHITECTURAL STYLES

The architectural style of buildings is important for the look, feel, attractiveness and livability of each home and building, and in its presentation to the street and public spaces. The style, form, massing, scale, proportions, articulation of horizontal and vertical planes, design details, doorways, windows, gable ends, roof pitches, porches, decks, steps, stairs, sidewalks, driveways, garages, basements, walkouts, materials, and colors are all important design elements.

## REQUIRED ELEMENTS

- Traditional forms or contemporary interpretations of traditional forms of elevation architectural styles (see Architectural Styles). The Architectural Styles dictate or necessitate certain forms in terms of massing, scale, proportion, articulation of planes, doorways, windows, gables, bay windows, roof pitches, eave details, porches, trim, detailing, materials, colors and so on.
- Every floor plan and elevation must have at least 10 visual interest elements on the main front elevation consistent with the Architectural Styles. Side and rear elevations must have at least 5 elements with 3 of these being equal to those chosen for the main front elevation. Elevation interest elements can include, but are not necessarily limited to:

<i>Varied roof forms, angles</i>	<i>Entry door transom windows</i>	<i>Natural accent materials</i>
<i>Roof pitches to match style</i>	<i>Gable end siding details</i>	<i>Gable windows, dormers</i>
<i>Larger porches than required</i>	<i>Enhanced gable vents</i>	<i>Vertical accent trim</i>
<i>Enhanced eave &amp; fascia</i>	<i>2:1 or greater vertical window proportions</i>	<i>Horizontal accent trim</i>
<i>Eave brackets to match style</i>	<i>Enhanced window details</i>	<i>Gable facing street</i>
<i>Exposed rafter tails</i>	<i>Greater than 50% double hung windows</i>	<i>All metal roofs</i>
<i>Dimensional shingles</i>	<i>Enhanced trim details</i>	<i>Bay windows</i>
<i>Varied front elevation planes</i>	<i>Enhanced porch railings</i>	<i>Native stone</i>
<i>Fascia, soffit, frieze details</i>	<i>Enhanced siding / varied siding</i>	<i>Porch &amp; garage door lights</i>
<i>Swing entry door with lite</i>	<i>Enhanced garage door panels</i>	<i>Stone or brick chimneys</i>
<i>Metal columns</i>	<i>Dark Window frames</i>	<i>Divided light window sashes</i>
<i>Wrap-around porches</i>	<i>Dark window mullions</i>	
<i>Entry door sidelights</i>	<i>Additional doors onto patios</i>	

- Covered front porches or entries shall be a minimum of 100 SF with a minimum dimension of 8’ on Standard Lots and 80 SF with a minimum dimension of 6’ on Alternative Lots. However, larger porches and wrap-around porches are highly encouraged.
- Reduce garage dominance
- Provide four-sided architecture
- Elevations are not required to use brick, stone, or other enhanced material, but appropriate use to enhance the street facing facades is encouraged. Siding must be authentic looking, durable and attractive (e.g., board and batten, ship lap, patterned shingle siding, etc.).



- Rear decks or patios, minimum 100 SF on Standard Lots and 80 SF on Alternative Lots, integral to the house architecture, or attached to the house, covered or uncovered.
- Variety and diversity are required, monotony is prohibited.
- Walk-out and/or day-light basements are required on all homes built on walk-out lots.
- Exposed basement walls must be covered with siding, paint, or other compatible accent materials.



## ARCHITECTURAL STYLES

Independence will have a contemporary architectural flair that will set it apart from other residential communities along the Front Range. Homes will be clean, modern interpretations of traditional forms. Tasteful, sophisticated designs will avoid unnecessary complexity without sacrificing elegant proportioning and thoughtful compositions of form, material and color.



### I. FARMHOUSE FRESH

*Clean, bright, and elegant. A refined version of Colorado's classic farmhouse form.*



### II. MOUNTAIN MODERN

*A simple, sophisticated interpretation of Colorado's rustic alpine character using wood, gray stone, and metal.*



### III. PRAIRIE PURE

*With wrap-around porches and simple, traditional detailing, this home epitomizes Colorado's outdoor lifestyle.*



### IV. CLASSIC CONTEMPORARY

*This crisp residential and contemporary design reflects Colorado's eclectic residential heritage.*

## I. FARMHOUSE FRESH



### ROOF FORMS + BUILDING PROPORTIONS

- Gable roofs with 8:12 to 12:12 or steeper on second-floor roofs are required. Shallower pitches may be used on single-story building masses or on roofs whose gable ends do not face a street. At least one primary gable roof form must face the street.
- Eave depth and fascia dimensions should be minimized, while thin, simple profiles are allowed.
- Exposed rafter tails may be used sparingly at sunshade accents and single-story building masses.
- Hipped and shed roof forms may be used on single story masses.
- Gable or shed style roofed dormers are required where proposed.

### PORCHES + FRONT ENTRIES

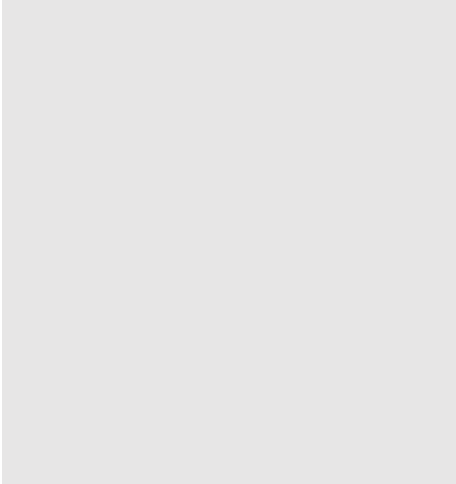
- Wood, or dark color entry doors are required and must face the street.
- Porch lighting is required and should be consistent with the home's architectural style.
- Porches are encouraged to have gray, standing seam metal roofs.
- When used, porch railings should be simple and match the architectural style.

### WINDOWS

- 2:1 or greater vertical window proportions are highly recommended. Square or horizontal window openings are recommended to consist of mullied units to combine a series of vertical window units within the opening.
- Dark window frames (black, gray, or dark brown) are encouraged. Divided lights are required. Window frame color should correspond to homes overall color palette.
- Glass shall be glazed with high performance, insulated, low-E glass units. Reflective or colored glass is prohibited.

### MATERIAL, COLOR & TEXTURE

- Dimensional or layered asphalt shingle or standing seam metal roofing may be used on the second story or over the porch. Standing seam metal may also be used on single story elevations.
- Roof material colors are encouraged to be cool gray, warm gray, or black depending on the style of the home and the Home's overall color palette and subject to ACC approval. Beige roof material colors are prohibited.
- Siding may be lap, shingle, board and batten, or any other traditional style approved by the ACC. Siding colors may be a



desaturated light blue, white or gray. Bright, fluorescent, and pastel colors are prohibited.

- Trim around windows and doors is required on all elevations. Additional horizontal and corner trim is allowed. Highly built-up fascia trim and profiles are prohibited.
- Materials such as reclaimed wood, stone or grey or white brick are allowed on some small Building forms, chimneys, etc. However, the predominant exterior material in the Farmhouse style should be siding.
- Exposed concrete masonry units are prohibited. Red, orange, or brown brick are discouraged. Masonry colors should correspond to home's overall color palette.
- Gutters shall be painted to match the fascia color.

## II. MOUNTAIN MODERN



### ROOF FORMS + BUILDING PROPORTIONS

- Gable roofs with 6:12 to 8:12 or steeper pitch on second-floor roofs are required. Shallower pitches may be used on single-story building masses or on roofs whose gable end does not face a street. At least one primary gable roof form must face the street.
- Eave depths may be deeper in Mountain Modern as compared to other styles. Exposed rafter tails and beams may be used, in addition to larger, built-up fascia trim profiles.
- A variety of building volumes should be combined to reduce the overall mass and scale of the home.
- Simple eave brackets that are reflective of mountain architectural character are allowed.
- Hipped and shed roof forms may be used on single story masses.
- Gable or shed roofed dormers are required.

### PORCHES & FRONT ENTRIES

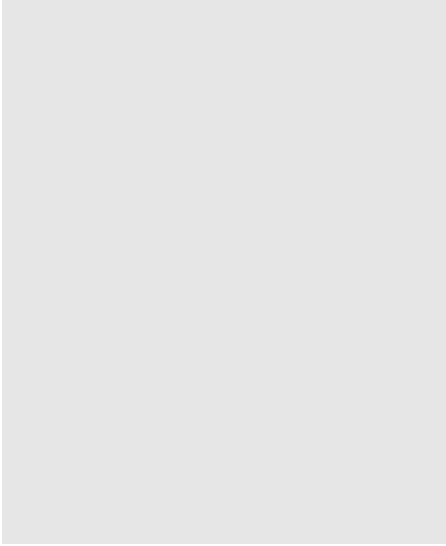
- Wood or dark entry doors with glass lights are required and must face the street.
- Porch lighting is required and should be consistent with the home's architectural style.
- Porches are encouraged to have gray, standing seam metal roofs.
- When used, porch railings should be simple and match the architectural style.

### WINDOWS

- 2:1 or greater vertical window proportions are highly recommended. Square or horizontal window openings are recommended to consist of mullied units to combine a series of vertical window units within the opening.
- Dark window frames (black, gray, or dark brown) are encouraged. Divided lights are required. Window frame color should correspond to homes overall color palette.
- Glass shall be glazed with high performance, insulated, low-E glass units. Reflective or colored glass is prohibited.

### MATERIAL, COLOR & TEXTURE

- Dimensional or layered asphalt shingle or standing seam metal roofing may be used on the second story.
- Roof material colors are encouraged to be cool gray, warm gray, or black depending on the style of the home and the Home's overall color palette and subject to ACC approval. Beige roof material colors are prohibited.



- Siding may be lap, shingle, vertical or any other traditional style approved by the ACC. Siding colors may be gray, reclaimed wood, natural wood or desaturated light blue and white. Bright, fluorescent, and pastel colors are prohibited.
- Trim around windows and doors is required on all elevations. Additional horizontal and corner trim is allowed.
- Materials such as reclaimed wood, stone or grey or white brick are allowed on some small Building forms, chimneys, etc. Materials should not be rustic in finish but reflect a more refined and sophisticated interpretation of a traditional mountain architectural vernacular.
- Exposed concrete masonry units, and brick are prohibited. Masonry colors should correspond to home's overall color palette.
- Gutters shall be painted to match the fascia color.

### III. PRAIRIE PURE



#### ROOF FORMS & BUILDING PROPORTIONS

- Gable roofs with 6:12 to 8:12 or steeper pitch on second-floor roofs are required. Shallower pitches may be used on single-story building masses or on roofs whose gable end does not face a street. At least one primary gable roof form should face the street or dormers should be used to break up long, second floor roof planes.
- Eave brackets are prohibited in this style.
- Simple, modest building forms should dominate while secondary building volumes should be minimized or eliminated.
- Eave depth and fascia dimensions should be minimized while thin, simple profiles are preferred. Exposed rafter tails may be used.
- Hipped and shed roof forms may be used on single story masses.
- Gable or shed roofed dormers are required where proposed.

#### PORCHES & FRONT ENTRIES

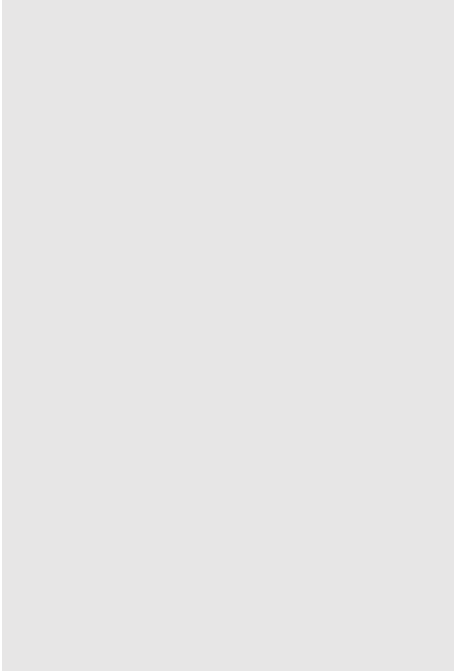
- Wood or dark entry doors with glass lights are required and must face the street.
- Porch lighting is required and should be consistent with the home's architectural style.
- Porches are encouraged to have gray, standing seam metal roofs. Wrap-around porches or expansive porches that dominate the front façade are highly encouraged.
- When used, porch railings should be simple and match the architectural style.

#### WINDOWS

- 2:1 or greater vertical window proportions are highly recommended. Square or horizontal window openings are recommended to consist of mullied units to combine a series of vertical window units within the opening.
- Dark window frames (black, gray, or dark brown) are encouraged. Divided lights are required. Window frame color should correspond to homes overall color palette.
- Glass shall be glazed with high performance, insulated, low-E glass units. Reflective or colored glass is prohibited.

#### MATERIAL, COLOR & TEXTURE

- Dimensional or layered asphalt shingle or standing seam metal roofing may be used on the second story. Standing seam metal may also be used on single story elevations.



- Roof material colors are encouraged to be cool gray, warm gray, or black depending on the style of the home and the Home's overall color palette and subject to ACC approval. Beige roof material colors are prohibited.
- Siding may be lap, shingle, board and batten, or any other traditional style approved by the ACC. Siding colors may be white, gray, or light blue. Bright, fluorescent, and pastel colors are prohibited.
- Trim around windows and doors is required on all elevations. Additional horizontal and corner trim is allowed. Highly built-up fascia trim and profiles are not allowed.
- Materials such as reclaimed wood, stone or grey or white brick are allowed only in some small building forms, chimneys, etc. However, the predominant exterior material in the Prairie Pure style should be siding.
- Exposed concrete masonry units are prohibited. Red, orange, or brown brick are discouraged. Masonry colors should correspond to home's overall color palette.
- Gutters shall be painted to match the fascia color.

## IV. CLASSIC CONTEMPORARY



### ROOF FORMS & BUILDING PROPORTIONS

- Gable roofs with 6:12 to 12:12 or even steeper pitches on second-floor roofs are allowed. Shallower pitches may be used on single-story building masses or on roofs whose gable end does not face a street. At least one primary gable roof form must face the street.
- Eave depth and fascia dimensions should be minimized, if not eliminated altogether, on gables facing the street. Thin, simple fascia profiles are preferred.
- Hipped and shed roof forms may be used on single story masses.
- Gable or shed roofed dormers are required where proposed.
- Single-story, flat roofed elements may be allowed.

### PORCHES + FRONT ENTRIES

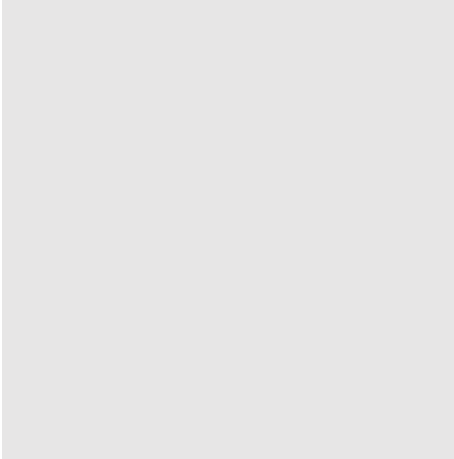
- Wood or dark entry doors with glass lights are required and must face the street.
- Porch lighting is required and should be consistent with the home's architectural style.
- Porches are encouraged to have gray, standing seam metal roofs.
- When used, porch railings should be simple and match the architectural style.

### WINDOWS

- 2:1 or greater vertical window proportions are highly recommended. Square or horizontal window openings are recommended to consist of mullied units to combine a series of vertical window units within the opening.
- Dark window frames (black, gray, or dark brown) are encouraged. Divided lights are required. Window frame color should correspond to homes overall color palette.
- Glass shall be glazed with high performance, insulated, low-E glass units. Reflective and colored glass is prohibited.

### MATERIAL, COLOR & TEXTURE

- Dimensional or layered asphalt shingle or standing seam metal roofing may be used on the second story.
- Roof material colors are encouraged to be cool gray, warm gray, or black depending on the style of the home and the Home's overall color palette and subject to ACC approval. Beige roof material colors are prohibited.
- Siding may be lap, shingle, board and batten, or any other traditional style approved by the ACC. Siding colors may be white or gray or light blue. Bright, fluorescent, and pastel colors are prohibited.



- Highly built-up fascia trim and profiles are not allowed.
- Grey or white brick are required if used for large portions of each home and must be used on entire building masses. Partial height brick on any elevation is prohibited. Brick is encouraged to terminate on inside corners and must not end partway up a building façade, otherwise brick must extend a minimum of 2 feet beyond outside corners.
- Smooth, cementitious stucco may be used. Rough or highly textured stucco is prohibited.
- Concrete masonry units and red, orange, or brown brick is prohibited.
- Gutters shall be painted to match the fascia color.

## PROHIBITED ELEVATION STYLES

- Tuscan
- Italianate
- Spanish
- French
- American Colonial
- Suburban expansion (i.e., 1950's – 1980's suburban)
- Modern
- Glass box
- Plain box

## GENERAL ARCHITECTURAL STANDARDS

- Porches
  - Porches are required.
  - Front entry doors are required to face a street and are required to be placed on porches.
  - Sidewalks to porches and front entry doors are encouraged be detached from driveways.
- Detailing
  - Window, door and edge trim shapes, sizes and styles should be well integrated into each home style and take into consideration eave and fascia profiles.
  - Eave overhangs and fascia sizes should be consistent with and enhance the selected architectural style and be well integrated into the overall proportions of the home.
- Materials
  - The use of standing seam metal roofing is encouraged for front porches.
  - Faux materials are discouraged.
  - Materials must reinforce building masses and not individual planes. Exterior materials are encouraged to terminate on inside corners and must not end partway up a building façade, otherwise they must extend a minimum of 2 feet beyond outside corners. Exposed basement walls must be covered with siding, paint, or other compatible accent materials.
  - Board and batten, lap and shingle siding should be thoughtfully applied to building volumes to enhance each style, but in no case should more than two siding styles be used on one building plane or volume. Trim should be used to separate siding styles, create thoughtful patterns that do not over complicate the façade and finish the edges of building forms at corners, eaves, and openings in the facade.



- Red, rust and orange brick colors are discouraged. The use of white or grey brick is acceptable.
- The use of natural, native stone and reclaimed wood or similar looking materials is encouraged. Corrugated metal may be used in very selective areas and architectural styles. It is subject to ACC design review in all cases.
- Windows & Doors
  - Dark (typically black, dark gray or dark brown, i.e., dark bronze anodized) window frames and mullions are encouraged.
  - Vertically proportioned windows are encouraged.
  - Garage doors are required to have glass windows.
- Material & Color
  - White, off-white and gray are encouraged. Beige is discouraged in all cases.
  - Greys, blues, and desaturated colors generally inspired by natural building materials are encouraged for accent elements.
  - Pastel, and fluorescent colors are prohibited.
  - Standing seam metal roofing should generally be used in shades of either light, medium or dark gray.
  - Dimensional asphalt shingles should be warm or cool gray. Beige, green, blue, red, and orange asphalt shingles are prohibited.

## VARIETY AND DIVERSITY GUIDELINES

- On Standard Lots and Alternative Lots, a builder must offer at least four (4) different floor plans in each floor plan series (i.e., distinct progression of square footages, differences in room counts and how each floor plan is laid out, house plan width, lot width and configuration of garages).
- At least one floor plan in each series offered on Standard Lots and Alternative Lots must be a single-story ranch plan (i.e., cannot all be two-story plans in a series).
- The minimum indoor/interior square footage of livable space under roof in a floor plan on Standard Lots, not including any basement square footage or garage space, is 1,500 SF. At least one floor plan in a series offered on Standard Lots shall have approximately 2,400 SF (can vary within 100 SF plus or minus) of indoor living space excluding basement or garage space. The minimum square footage on Alternative Lots is 900 SF per PUD Land Use Standard 4.1.7.
- Basements are required on all homes.
- Each builder must include at least two (2) different elevation styles per floor plan. The elevation styles must be noticeably different, which is achievable by dissimilar roof massing, eave details, window details, trim around windows, doors and garage doors, front porch details, columns, posts, railings, façade trim, accent materials, or etc.
- Must have at least two (2) different material and color schemes per elevation style per plan (e.g., Farmhouse Fresh can have the same elevation for one of the floor plans, but it must have at least two (2) color and material schemes including the body color, trim color(s), roofing material/color, and accent materials for that one elevation).
- Cannot locate the same floor plan and elevation next to each other, or across the street from each other. However, the same floor plan can be used with a different elevation.
- Cannot locate more than two (2) of the same floor plans consecutively in a row, irrespective of the elevations or mirroring of the floor plan. If two (2) of the same floor plans are built in a row, then the next one (1) on both side(s) of the two (2) in a row, shall be a completely different floor plan. Cannot have two (2) in a row of the same floor plan across the street from two (2) in a row of the



same floor plan on the other side of the street, irrespective of the elevation variety or mirroring of the floor plan.

- The front setback of homes on lots next to each other shall “vary” by at least three (3’) feet. This variation or front yard “stagger” can be accomplished in several ways. The intent is that home on lots next to each other and along the street do not have the same set back such that the forward-most face of the house from one lot to the next appears to be exactly the same along a line, that there shall be a minimum of three (3’) feet stagger. As mentioned above, this can be accomplished in a number of ways such as:
  - The stagger created naturally on a curving section of street
  - By the specifics of the floor plans and elevations on neighboring lots such as:
    - Having a “porch forward” home
    - Enlarging a porch forward
    - Having a “living area forward” home
    - Having a recessed or side turned garage where the front horizontal plane of one home is offset by at least three (3’) feet from the neighboring home
    - By the nature of the floor plan
    - By a forced stagger of floor plans
- Garage dominance shall be reduced. In addition to garage setback requirements set out in the PUD Land Use Standards 4.1.5 and 4.1.6, the following guidelines apply:
  - One or both of the front porch and/or living area of every home shall be a minimum of four (4’) feet on all lots, in front of the horizontal plane of the vertical face of the garage door.
  - A maximum 2-car front facing garage door may be placed on a single plane.
  - Three car garages shall be prohibited on lots with a front setback width of less than sixty (60’) feet.
  - A third front-facing garage door can be provided as a further recessed third bay, as long as it is offset by at least two (2’) feet behind the main two-car garage door plane.
    - If the lot’s setbacks allow for it, a third garage may be placed perpendicular to the 2-car garage door plane, however, it must use the same driveway and not cause a driveway to increase in width beyond what is allowed in these guidelines.
  - Additional parking (i.e., tandem bays) inside a two-car garage door are permitted.
  - All garage doors shall have windows
  - In addition to the foregoing, efforts shall be made in creating variety in which side of a lot the garage is located. Garages shall not be:
    - Located on the outside corner of corner lots unless grading or utilities require it to be, in which case, two additional standard windows on the garage elevation shall be required.
    - Positioned directly across from a “T” intersection.
    - Frequently located next to each other on neighboring lots. The location of right- and left-hand garages shall be varied so there is variety in the placement of the garages on the lot. (i.e., no more than two lefts in a row, no more than two left



rights in a row, no more than two garages next to each other in a row). Effort shall be made to reduce the number of garages placed next to each other.

- Driveways shall be concrete and shall be no more than 16' in width at back of curb. In the event of a third car garage, the driveway can increase to 28' outside of public utility easements. In the event of a third car garage, or perpendicular garage, or if an owner wishes to install a driveway width extension, an application may be made to the ACC for review and approval on a case-by-case basis. Any width extension shall be for the least amount necessary, shall not start until past the Public Utility Easement, and consideration shall be given to an alternative and upgraded material (i.e., cannot be dirt, gravel, or asphalt, but could include concrete with imbedded aggregate, concrete with a brushed or salt finish, high quality pavers or other enhanced paving).



# LANDSCAPE GUIDELINES

## GENERAL PLANT SELECTION, PLANT MATERIALS & LANDSCAPE MATERIALS



The selection (and placement) of plants, plant materials and landscape materials for use at Independence is intended to be consistent with the community's overall design intent, design philosophy and design aesthetic. Select and place plant material to fit with the historic farmstead and ranch turned superior residential community concept. Provide landscape that is native or compatible with the High Prairie Colorado environment and tolerant of reclaimed water for water conservation purposes. Drought tolerant plantings and plant placement for fire safety is also a requirement. Planting will not only survive the Colorado High Prairie climate, but flourish and provide seasonal interest throughout the year. Plant selection should be easily maintained as well as selected and located based on sun, shade, wind, diseases and pest,

exposure in mind. Purchasing local plant material will be high priority to achieve a successful outcome and a cohesive landscape throughout the community at Independence.

### Standards

#### *Recommendations*

- *Thoughtfulness, creativity, resourcefulness, intentionality, diversity, variety are encouraged.*

## RESIDENTIAL LANDSCAPE DESIGN STANDARDS AND GUIDELINES

The purpose of the Design Standards and Guidelines are to ensure a cohesive, aesthetically pleasing appearance and native or xeric plant palette for residential lots. This section of the Guidelines summarizes the essence of design elements, product goals and aspirations for the Independence residential neighborhoods. The chapter includes requirements for landscape design, which has a significant impact on the community's appearance, livability, and sustainability. Organized amidst vast open space and within walking distance of the Homestead Park, The Neighborhoods at Independence will become a series of interconnected places that offer a variety of living options for residents. Homes will face and define a network of residential streets and small pocket parks that will become the centerpiece of each neighborhood.

#### *Guiding Principles*

- *Create neighborhood consistency, without constraining design innovation.*
- *Foster diversity of architectural character, with a high degree of mixed products on block faces.*
- *Refer to the following pages for specific requirements and representative landscape plans.*

## GENERAL PLANTING

The below outlines general planting requirements to ensure a cohesive and aesthetically pleasing appearance for the residential lots.

### Standards

- Areas that are not plant materials shall consist of organic and/or inorganic mulch, to be full coverage (i.e., no bare spots allowed).
- Foundation plantings shall be incorporated around residences as shown on the lot diagrams.



- Landscaping shall be maintained in the manner and degree necessary to keep plants healthy and presentable, including pruning, mowing, weeding, fertilizing, watering, and replacement of plant material when necessary.
- Turf (sod/grass) shall be placed in the front yard of residential lots and shall comply with the minimum and maximum irrigated turf limits listed in Table 3.
- Synthetic turf and plastic ground covers are acceptable at the rear yard, subject to ACC approval.
  - Synthetic turf should be limited to maximum of 1000 square feet not to exceed 50% of the rear yard area.
  - Must be installed according to manufacturer’s installation recommendations.
  - May not be applied over concrete.
  - A minimum pile height of 1.75” is required.

The Overlay District reserves the right to require replacement at any time the appearance has deteriorated to a point of looking worn out.

- If an owner wishes to implement a 100% restored prairie, xeriscape-type landscape concept (i.e., no or limited grassed lawn and otherwise not meeting the plant counts outlined above, or meeting them in other ways), it may be submitted to the ACC for review on a case-by-case basis, and may be approved, allowed, conditioned, based on the ACC’s review. Additional water saving methods on landscaping are allowed and should be submitted to the ACC for review.

*Recommendations*

- *Low grow and native turf are allowed and recommended in an effort to reduce water use and irrigation.*
- *Use of Artificial Turf in rear yards is acceptable and subject to ACC approval.*

**PLANT MATERIAL**

Standards

- 90% of All plant material in the residential area of Independence shall be native or xeric species.
- No less than 90% of all plant materials used to landscape each site shall be selected from the low water use zone found in the Colorado State University Cooperative Extension Fact Sheets on Xeriscaping, refer Appendix “B”, or other approved xeriscape plant material reference.
- Plant materials shall be installed at the minimum sizes described in Table 1 below:

Table 1: Minimum Plant Requirements by Plant Type	
Type	Single Family Detached
Shade Trees	3” caliper
Ornamental Trees (single stemmed)	2.5” caliper
Ornamental Trees (multi-stemmed)	6’ height
Evergreen Trees	6’ height
Shrubs	5 gallon
Groundcovers	2.25” pots
Ornamental Grasses	1 gallon



- Table 2 has been deleted.
- Table 3 below describes the planting requirements for each residential development type.

Table 3: Plant Requirements by Lot Type						
Standard Lots (70'+ width)						
Lot Area	Trees		Irrigated Landscape			Hardscape
			Total 1,900 SF Max.	Total SF Varies <sup>o</sup>		
	Shade Tree	Evergreen Tree	Turf Lawn Area	Shrub Quantities	Perennials / Groundcovers Quantities	Area/Material
Front Yard	1 per lot	1 per lot	500 sf min. - 700 sf max.	8 min.	6 min.	45% max.**
Interior Side Yard	Not required	Not required	Not permitted	Not required	Not required	Stepping stones permitted
Exterior Side Yard*	1 per lot	1 per lot	Not permitted	Not required	Not required	Stepping stones permitted
Rear Yard	1 per lot	1 per lot	1,400 sf max.	6 min.	Not required	20% max.
Alternative Lots (0' to 60' width)						
Lot Area	Trees		Irrigated Landscape			Hardscape
			Total 1500 SF Max.	Total SF Varies <sup>o</sup>		
	Shade Tree	Evergreen Tree	Turf Lawn Area	Shrub Quantities	Perennials / Groundcovers Quantities	Area/Material
Front Yard	1 per lot	Not required	300 sf min. - 400 sf max.	6 min.	6 min.	40% max.**
Interior Side Yard	Not required	Not required	Not permitted	Not required	Not required	Stepping stones permitted
Exterior Side Yard*	1 per lot	1 per lot	Not permitted	Not required	Not required	Stepping stones permitted
Rear Yard	1 per lot	1 per lot	1,200 sf max.	6 min.	Not required	20% max.
Standard Lots Backing Up to Open Space (70'+ width)						
Lot Area	Trees		Irrigated Landscape			Hardscape
			Total 1,900 SF Max.	Total SF Varies <sup>o</sup>		
	Shade Tree	Evergreen Tree	Turf Lawn Area	Shrub Quantities	Perennials / Groundcovers Quantities	Area/Material
Front Yard	1 per lot	1 per lot	500 sf min. - 700 sf max.	8 min.	6 min.	45% max.**
Interior Side Yard	Not required	Not required	Not permitted	Not required	Not required	Stepping stones permitted
Exterior Side Yard*	1 per lot	1 per lot	Not permitted	Not required	Not required	Stepping stones permitted
Rear Yard	1 per lot	1 per lot	1,400 sf max.	10 min.	6 min.	20% max.
Alternative Lots Backing Up to Open Space (0' to 60' width)						
Lot Area	Trees		Irrigated Landscape			Hardscape
			Total 1500 SF Max.	Total SF Varies <sup>o</sup>		
	Shade Tree	Evergreen Tree	Turf Lawn Area	Shrub Quantities	Perennials / Groundcovers Quantities	Area/Material
Front Yard	1 per lot	Not required	300 sf min. - 400 sf max.	6 min.	6 min.	40% max.**
Interior Side Yard	Not required	Not required	Not permitted	Not required	Not required	Stepping stones permitted
Exterior Side Yard*	1 per lot	1 per lot	Not permitted	Not required	Not required	Stepping stones permitted
Rear Yard	1 per lot	1 per lot	1,200 sf max.	8 min.	4 min.	20% max.

\* Side Yards facing streets shall meet the requirements of Front Yards

\* Required for corner lots only

\*\* Includes driveway pavement

<sup>o</sup> Max square footage of shrub/perennial/ groundcover planting area is dependent on the remainder of Per Lot Water Demand Budget after the lawn square foot requirement is met (Per Lot Water Demand Budget = max. 20 gal/sf/year). Refer to Table 4: Water Demand Per Plant Type

- At installation, living plant materials shall cover minimum of 50% of all plant beds and raised planters.
- Planting beds (also known as raised gardens) should be a minimum of 2 feet wide and 6 feet long.
- Wildlife-resistant plant materials are encouraged.
- 90% of plants shall be drought - tolerant species.



### Recommendations

- *Front yard landscape design should clearly delineate individual single-family residences.*
- *Planting plans should consider horizontal and vertical layering of overhead, eye-level, and ground plane (trees, shrubs, and ground covers) in order to define space and add character.*
- *Shrubs and ground covers should be grouped in beds at the base of the building or porch, and/or along the entry walk.*
- *Low spreading ground covers should be placed in the foreground.*
- *Trees, shrubs, and ground covers should be planted in masses in order to define outdoor spaces and reinforce entries and building design.*
- *Massing plants of one species is encouraged, particularly along fences.*
- *Planting schemes should consider seasonal changes in foliage, color, and texture in order to create visual interest throughout the year.*

## PLANTING REQUIREMENTS ON RESIDENTIAL LOTS

### INTERIOR AND CORNER LOTS

#### OVERALL LANDSCAPE

- Standard Lot: 1,900 sf maximum lawn area; maximum sf of shrub/perennial/groundcover area to be calculated on the remainder of the Per Lot Water Demand Budget after lawn area sf is determined (Refer to Table 4: Water Demand Per Plant Type).
- Alternative Lot: 1,500 sf maximum lawn area; maximum sf of shrub/perennial/groundcover area to be calculated on the remainder of the Per Lot Water Demand Budget after lawn area sf is determined (Refer to Table 4: Water Demand Per Plant Type).
- Standard Lot Backing up to Open Space: 1,900 sf maximum lawn area; maximum sf of shrub/perennial/groundcover area to be calculated on the remainder of the Per Lot Water Demand Budget after lawn area sf is determined (Refer to Table 4: Water Demand Per Plant Type).
- Alternative Lot Backing up to Open Space: 1,500 sf maximum lawn area; maximum sf of shrub/perennial/groundcover area to be calculated on the remainder of the Per Lot Water Demand Budget after lawn area sf is determined (Refer to Table 4: Water Demand Per Plant Type).

#### FRONT YARD

- Standard Lot:
  - Two tree plantings required. One deciduous and one evergreen tree to be planted approximately six (6') feet back of the PUE approximately 30' apart in such a way as when they grow and mature, they will create a tree lined street.
  - Eight shrubs minimum are required.
  - 500 sf minimum to 700 sf maximum lawn area.
- Alternative Lot:
  - One deciduous tree planting required, approximately six (6') feet back of the PUE.
  - Six shrubs minimum are required.
- Six perennial or groundcover plantings minimum are required.
- Unplanted softscape (i.e., wood chips, crushed stone, and river rock) area will vary after all other landscape requirements are met.

#### REAR YARD

- Standard Lot:
  - 1,400 sf maximum lawn area.
- Alternative Lot:
  - 1,200 sf maximum lawn area.
- Design and installation consistent with the front yard
- Two trees, one deciduous and one evergreen tree planting required
- Six shrubs minimum are required.
- Ornamental flower gardens and/or vegetable/herb gardens are permitted in rear yards. Such gardens are to be well maintained and kept free of weeds and debris.

#### INTERIOR SIDE YARD

- Trees or irrigated landscape are not required.
- Unplanted softscape (i.e., wood chips, crushed stone, and river rock) is permitted for the entirety of the area.
- Ornamental flower gardens and/or vegetable/herb gardens are permitted in, side yards. Such gardens are to be well maintained and kept free of weeds and debris.

#### EXTERIOR SIDE YARD (Corner Lot Only)

- Landscape design that is “wrapped around” from the front yard into the side yard to create an integrated attractive corner lot treatment is required.
- Two trees, one deciduous and one evergreen tree planting is required.
- Unplanted softscape (i.e., wood chips, crushed stone, and river rock) area will vary after all other landscape requirements are met. The majority of this area can be unplanted groundcover and is required to be maintained, remain in place, and free of weeds and debris.

### *LOTS BACKING TO OPEN SPACE (REAR VIEW LOT)*

#### FRONT YARD

- Same as for Interior Lot and Corner Lot, outlined above

#### REAR YARD

Due to the added visibility of rear yards that back to open space and the contribution of those rear yards to the overall look and attractiveness of the community, additional attention shall be given to the design, installation and maintenance of high visibility rear yard landscaping and accessory structures and elements that back to major roadways or open space. Lots that back to Open Space, County Road 158, and Hancock Way require the following:

- Same as for Interior Lot and Corner Lot, outlined above, with the exception of the following:
  - Ten shrubs minimum are required.
  - Six perennial or groundcover plantings minimum are required.

#### EXTERIOR SIDE YARD (Corner Lot Only)

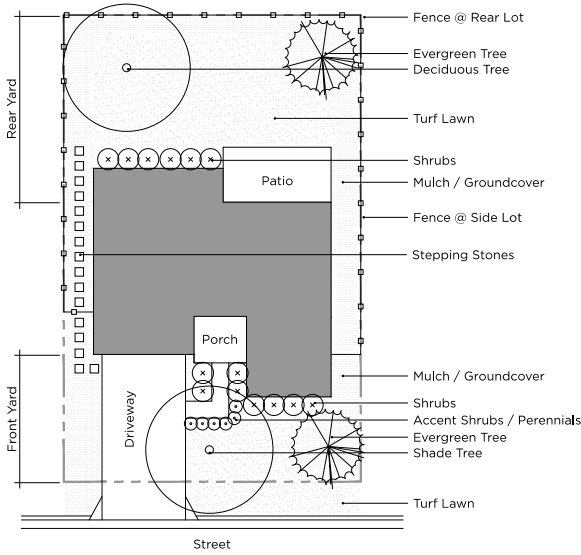
- Same as for Corner Lot above

#### INTERIOR SIDE YARD

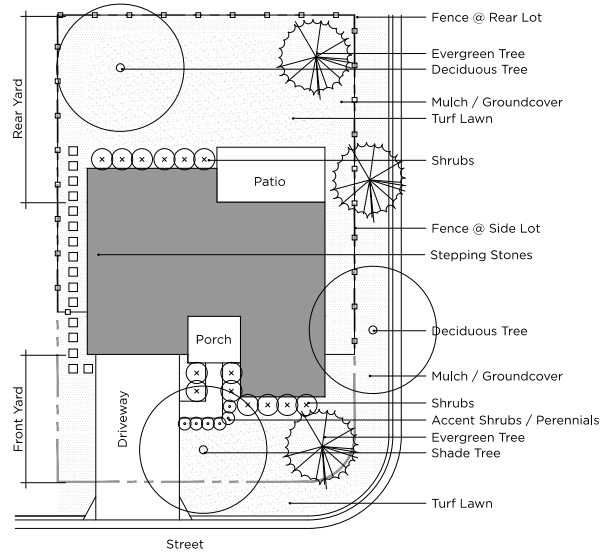
- Same as for Interior Lot above



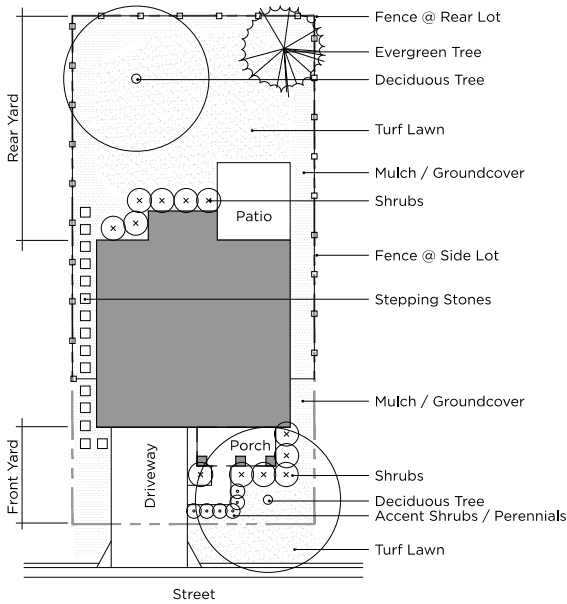
# LOT DIAGRAMS



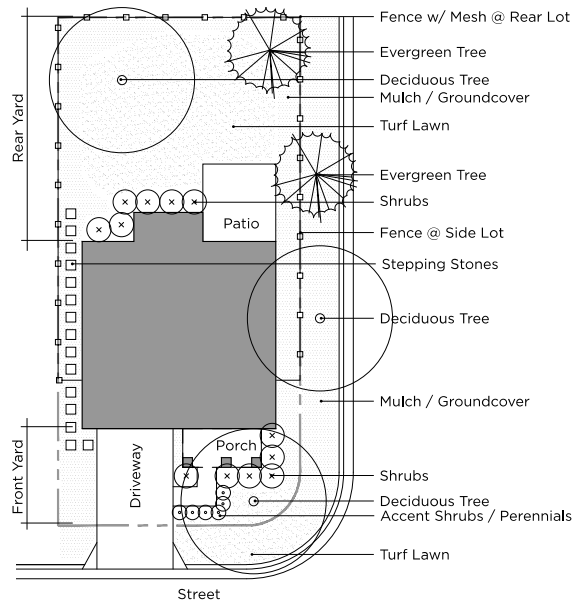
STANDARD INNER LOT (70'+ WIDTH)



STANDARD CORNER LOT (70'+ WIDTH)

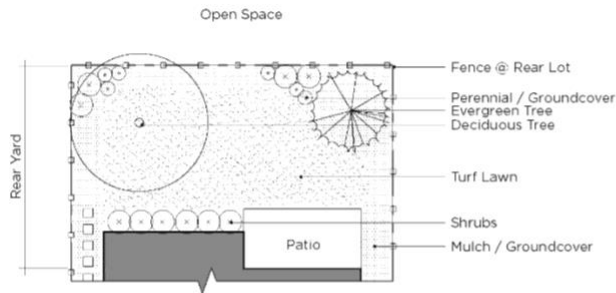


ALTERNATIVE INNER LOT (0'-60' WIDTH)

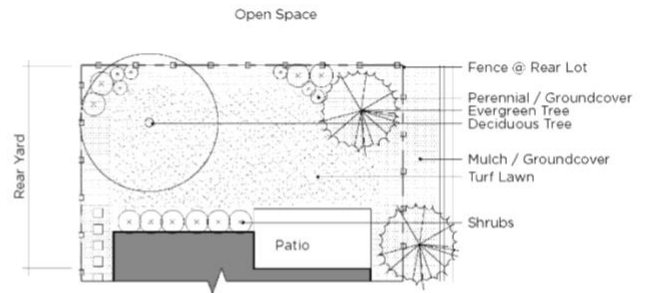


ALTERNATIVE CORNER LOT (0'-60' WIDTH)

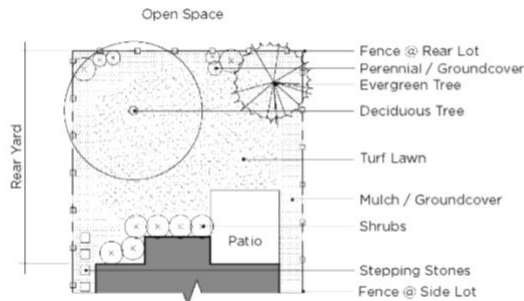
## LOT DIAGRAMS (CONTINUED)



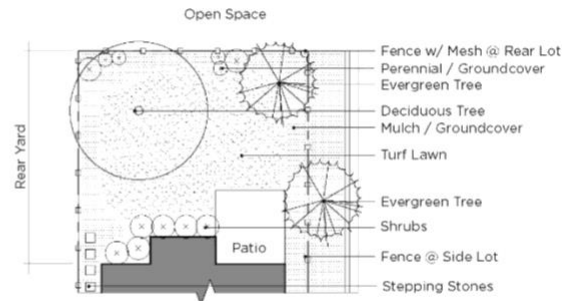
STANDARD INNER LOT BACKING ONTO OPENSACE (70'+ WIDTH)



STANDARD CORNER LOT BACKING ONTO OPENSACE (70'+ WIDTH)



ALTERNATIVE INNER LOT (0'-60' WIDTH)



ALTERNATIVE CORNER LOT (0'-60' WIDTH)

## IRRIGATION



Every lot and home shall be required to have a landscape irrigation system installed to serve all front, side, and rear yards. Reclaimed water irrigation service shall be delivered to each home and each home shall have a separate designated non-potable water valve and electronic controller. All non-potable / reclaimed irrigation system equipment (Valve box covers, irrigation distribution lines, etc.) shall be purple in color to identify such as non-potable water distribution devices.) All landscape plantings on lots shall be connected to a fully automatic underground non-potable watering system that uses the reclaimed water. The underground watering system on lots shall primarily use drip emitters but adjustable direction spray heads can also be used where appropriate for the particular landscape plant material application. The irrigation system shall be installed to

facilitate winterization and allow residents to manually clear and disconnect the system prior to the onset of freezing temperatures. At each completed home, within 30 – 45 days after the irrigation system is turned on for watering, the landscape installation contractor shall inspect and as necessary, re-set the irrigation clock and controller for proper seasonal irrigation and zone adjustments for the plants on the lot. After initial installation, owners are responsible for their own on-lot irrigation system and are encouraged to retain

professional assistance throughout the year as needed to adjust and maintain the irrigation system in proper working order. Failure to do so may result in enforcement action by the District.

**Standards**

- Drip irrigation shall be used for all shrubs, perennials, groundcovers, and trees.
- Overhead spray irrigation shall only be used for turf lawn areas.
- Permanent, automatic irrigation is required for all planting areas and turf, including raised planters and containers.
- All irrigation systems should be designed to minimize water use, and should utilize low precipitation heads, drip systems and technologies such as soil moisture sensors, rain shutoff devices, and ‘smart’ controllers to avoid unintended water waste.
- Plant coverage shall be calculated according to Table 4 below:
- All irrigation systems should be designed to minimize water use, and should utilize low precipitation heads, drip systems and other low gallon heads as appropriate.
- All non-potable irrigation equipment shall be purple in color.
- Per Lot maximum Irrigation Water Demand shall be as follows:
  - Standard Lots: 60,000 gallons per year, maximum.
  - Alternative Lots: 48,150 gallons per year, maximum.
  - Refer to Table 4: Water Demand Per Plant Type and Total Per Lot Water Demand Calculation below for calculation of total per lot irrigated landscape water demand, relative to the specific plant type coverages as applied to each lot.

Table 4: Water Demand Per Plant Type	
Type	Water Demand Factor (gallons per square foot per year)
Turf Lawn	25.8 gal/yr per sf (WDF <sub>L</sub> )
Planting Bed (Shrubs/Perennials/Groundcovers)	11.6 gal/yr per sf (WDF <sub>P</sub> )
Native Plant Material	0 gal/sf/yr*

\* After establishment.

Total Per Lot Water Demand Calculation
$(SF_L \times WDF_L) + (SF_P \times WDF_P) = WD_T$

SF<sub>L</sub> = Square footage of turf lawn area  
 SF<sub>P</sub> = Square footage of planting bed area  
 WDF<sub>L</sub> = Water Demand Factor for turf lawn (refer to Table 4)  
 WDF<sub>P</sub> = Water Demand Factor for planting bed (refer to Table 4)  
 WD<sub>T</sub> = Total Water Demand for lot (must be ≤ 60,000 gal/yr for Standard Lots and ≤ 48,150 gal/yr for Alternative Lots)

**Recommendations**

- *Low water use irrigation systems, such as low precipitation and drip systems can significantly reduce water use. In addition, irrigation sensors, which supply controllers with information about the environment, can monitor soil moisture, rain, wind, and evapotranspiration (ET) in order to provide the precise amount of water needed to keep plants healthy.*
- *All irrigation systems should include one of the following system controls:*
  - *Soil moisture or rain sensor*
  - *ET controllers that allow flexible programming to adjust water schedules to the historical needs of plant types.*
  - *ET device featuring ‘real-time’ feedback.*



## RAINWATER WATER HARVESTING

All rain harvesting equipment must be placed in the rear yard and shielded from public view.

*Since water is a limited resource in our region, the intent of the irrigation standards is to keep plants healthy and aesthetically pleasing, while reducing overall water consumption.*

## EXTERIOR LIGHTING

The role of a well-designed Exterior Lighting system is to provide adequate light for safety and wayfinding. It is also to subtly enhance building and neighborhood character while preserving the darkness of the night sky and reducing light pollution and glare. The Exterior Lighting goal at Independence is to find the right balancing point between these objectives.

### Standards

- Residential exterior lighting shall be subject to Design Review Board approval.
- Light fixtures shall have full cut-off, dark-sky compliant louvers or shields to reduce upward glare.
- Exterior landscape lighting shall be low-level, accent lighting.
- Each residence shall have a well-lit front porch.
- House number shall be lit and easily visible from the street.
- LED lamps shall be used in all exterior light fixtures.
- Light color temperature shall range from 2,000 to 3,000 Kelvin.
- Flood lighting of yards, alleys, driveways, and walkways is not permitted.
- Materials shall be durable, natural patina metals consistent with colors and schemes found throughout the Independence community.
- Lighting shall not spill over on to neighboring lots or property.
- “JellyFish Lights” or under soffit lighting is discouraged. These types of lights require design review and approval prior to installation. “JellyFish Lights”, if allowed, are not to be considered security lighting, may only be illuminated between dusk and 10:30 pm each day, and are limited to no more than 20 lumens per bulb so as not to be a nuisance to other residents.

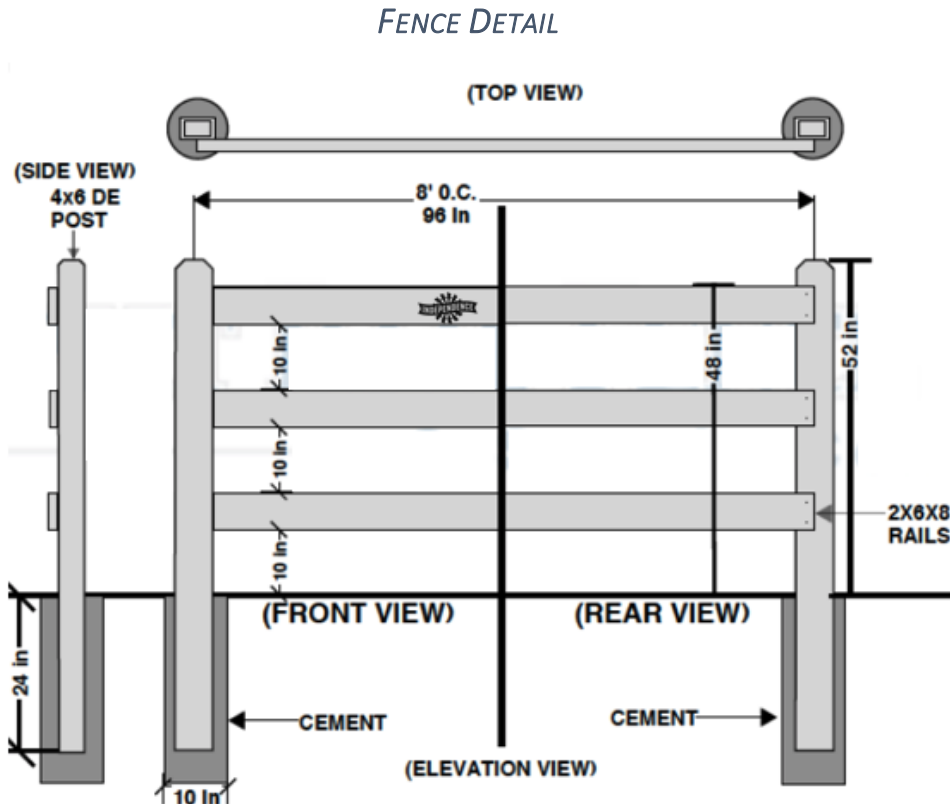


## FENCING

In order to preserve and enhance the openness of the community and the visual look of spaciousness, it is the intent that side yards shall be fenced with a 4' tall three rail fence consisting of 4"x 6" cedar posts with 1" chamfers on all corners (8' on center) and three rails that are 2"x 6" cedar attached with nails or screws. See fence detail below for more fence and footing information. The owner's side of the fence may be lined with 2"x4" welded wire mesh, and the wire mesh may be 4' tall on a 3-rail fence to secure pets inside, and rear yards. A latching pedestrian gate of matching design and materials shall be provided on the exterior garage wall side of the home on the lot, which must be set back a minimum of 15' behind the face of the primary structure. Side yard fencing shall match back yard fencing in all cases.

The purpose of the fencing standards is to create attractive separation between lots and the transitions to open space and to unify the character of the neighborhood.

- Fencing is not allowed in front yards.
- In general, common 6' high wood fencing and chain link fencing of any kind is prohibited.
- Wrought iron, and aluminum pool fencing shall be allowed inside rear yards and side yards in accordance with applicable pool codes and regulations.
- A rear yard fence gate may be allowed on lots that back to open space as long as it matches the wood rail fence details outlined above.
- Privacy fencing is prohibited.



## OUTDOOR PRIVATE SPACE



Private outdoor spaces are an important amenity for single-family detached homes. The intent of this standard is to ensure that private outdoor spaces appear neat and attractive from adjacent open spaces that will only be separated from residential lots with split rail fencing.

### Standards

- In addition to the front porch, all residences shall have a back patio or deck measuring at least 100 SF on Standard Lots and 80 SF on Alternative Lots. The dimensions shall be large enough to support the placement of exterior furniture, tables, gas fire pits and BBQ grills.
- Playground equipment shall blend in with architectural styles and colors of homes and be built of approved materials. They shall be a combination of metal and wood and be well-maintained. Non-permanent, plastic, playground equipment is allowed.
- Each lot shall have at least 1,000 SF of usable outdoor space in the back yard.
- Tree species shall provide sufficient shade for outdoor areas.
- The minimum dimension in any direction of patios shall be 6 feet.
- Patio and deck furniture should be aesthetically pleasing and well-maintained.

## HARDSCAPE

The choice of exterior building materials and how they are combined is extremely important for how Independence will be perceived by residents and visitors over time. Materials that are durable and easy to maintain are often the best choice. In addition, appropriate detailing and application is essential.

### Standards

- Hardscapes shall be made of approved materials that are durable and easily maintained, such as stone, pavers, concrete and hardwood or composite decks.
- Hardscape colors shall be earth tones.
- The minimum width of pathways shall be 2 feet. Concrete pathways width should not exceed 4 feet

## INTERIOR AND CORNER LOTS

### FRONT YARD

- Standard Lot:
  - 45% maximum hardscape area permitted.
- Alternative Lot:
  - 40% maximum hardscape area permitted.

### REAR YARD

- Standard Lot:
  - 20% maximum hardscape area permitted.

- Alternative Lot:
  - 20% maximum hardscape area permitted.

#### INTERIOR SIDE YARD

- Sidewalks and concrete slabs are allowed in, side yards. But should be limited to minimum of 2 feet and maximum of 4 feet in width. Stepping stones are highly encouraged in side yard areas.

#### EXTERIOR SIDE YARD (Corner Lot Only)

- Sidewalks and concrete slabs are allowed in, side yards. But should be limited to minimum of 2 feet and maximum of 4 feet in width. Stepping stones are highly encouraged in side yard areas.

### *INSTALLATION TIMING REQUIREMENTS FOR LANDSCAPING ON RESIDENTIAL LOTS*

- Front yard landscaping and the side and rear yards of exterior corner lots are required to be completed as quickly as possible once a home is completed on a lot, ideally prior to Certificate of Occupancy and move in, or as soon after as is practical and possible. Front yard landscaping is required to be completed within forty-five (45) days of Certificate of Occupancy unless it is issued between October 15<sup>th</sup> in a year and March 31<sup>st</sup>, then the completion deadline shall automatically be extended up to 45 days after March 31<sup>st</sup>, or as otherwise specifically approved in writing by the ACC.
- Rear and side yard landscaping (with the exception of the rear and side yards on exterior corner lots noted above) is also to be completed as quickly as possible, and preferably concurrently with the front yard landscaping. The completion deadline for rear yard and side yard landscaping is within 90 days of Certificate of Occupancy unless the Certificate of Occupancy is issued between October 15<sup>th</sup> in a year and March 31<sup>st</sup>, then the completion deadline shall automatically be extended up to 90 days after March 31<sup>st</sup>, or as otherwise specifically approved in writing by the ACC. On a case-by-case basis for legitimate reasons and when requested in writing, the ACC may approve in writing an extension of the rear and side yard landscaping deadline for up to 6 months.

### *BUILDER CLARIFICATION*

The following items must be submitted by the builder for review, and clarified and confirmed by the builder with the ACC:

- Fences
- Fence transitions with grade changes
- Patios
- Walk-outs
- Sidewalks
- Retaining walls



## GENERAL GUIDELINES

1. ACCESSORY BUILDINGS

Per PUD Land Use Standards 4.1.2c Accessory buildings, apparatus, uses, and private amenities are only permitted on lots over 10,000 SF. Vehicle access to an Accessory Building is not allowed and the character of the Accessory Building must match the primary house style, roof, and color. Accessory dwelling units (guest homes) are also permitted. Their size is limited to 50% of the gross area of the first floor of the main residence and must be no taller than one story or one story plus a loft. Two-story Accessory Buildings are prohibited. Accessory buildings and structures must be located in the rear yard of a lot, must not encroach into any setback, must not be attached to the principal residence, must be designed to conform with the principal residence, shall not be in anyway obtrusive to, or interfere with, the quiet and visual enjoyment of neighboring properties, and shall be subject to design review approval of the ACC. Building permit approval may also be required by Elbert County. Example Accessory Buildings may include, but are not limited to, gazebos, ramadas, shade structures, trellis structures, storage structures, outdoor kitchens, garden sheds, utility sheds, woodsheds, pool equipment sheds and other sheds.
2. ACCESSORY GARAGES

Attached or detached accessory garages are not prohibited by these design guidelines per se. They are allowable in the rear yard, or side yard, on lots larger than 10,000 SF, when permitted by Elbert County and subject to zoning, setbacks, and the approval of the ACC. The ACC shall give special attention to the review of the location, height and design details of the proposed structure and potential impact on neighboring properties and open space. Accessory garages are to be designed to look in conformity with and integrated with the principal residence, and shall have 4-sided architecture, including windows, eave details, siding relief and gable details. Any requests for driveway extension or additional driveway shall be reviewed with regards to the fit with the design guidelines, safety, and other considerations on a case-by-case basis. Accessory garages shall not have motion sensor security lights or yard lights that are visible from neighboring properties.
3. ADDRESS NUMBERS

Address numbers are required to be placed on the front face of the home above the garage door opening and/or near the front door of the home.
4. AIR CONDITIONERS, EQUIPMENT, SWAMP COOLER, FANS

All cooling devices shall be installed at ground level or completely contained within a structure. Such equipment shall be commercial quality in appearance, be well maintained, and located in the side or rear yard, behind the front return fence for the side/rear of the home



in order to minimize the nuisance to the neighboring property. Such equipment shall be shielded or screened from view. No roof-mounted, window-mounted, or wall-mounted unit or equipment is permitted. Any deviation from this guideline requires design review approval by the ACC.

5. ANTENNAS, SATELLITE DISHES

Exterior television antennas, satellite dishes, communications antennas, radio antennas and other antennas and towers require the approval of the ACC, subject to the Telecommunications Act of 1996, which may be amended from time to time. It is preferred that any allowable antennae shall be placed in or on the side yard or rear yard of the home, in an unobtrusive a location. Dimensions, size, and height should all be taken into consideration and the antennae should be screened from view, if possible, to avoid unreasonable visibility and unsightliness to neighboring properties.

6. AWNINGS & OVERHANGS

Awnings, overhangs, accessory roof structures require design review approval from the ACC. Such structures must match or generally be recognized as complimentary to the details of the home in terms of colors, materials, placement, be kept clean, in good repair, and in attractive, professional condition.

7. BASKETBALL HOOPS & SPORTS NETS

ACC approval is not required for moveable or portable basketball hoops if they are commercially produced, of good quality and in good condition and repair. They may be used on the driveway when in use, and then stored in an unobtrusive location that not visible from the street when not in use.

Pole mounted hoops of a more permanent nature require design review approval from the ACC for front yards, side yards or rear yards. Such poles must be commercially produced, the pole must be painted black, and the backboard must be white or clear. The basketball hoop must be maintained in good condition and repair. The pole and back board shall be located no closer than six (6') feet to a neighboring property. Pole mounted hoops of a more permanent nature are not permitted on lots with less than eighty-five (85') feet width at the front yard setback.

Sports nets, sports goals, practice nets, back stops, batting nets and all other such sports equipment (soccer, hockey, baseball, or other sport), that are moveable, portable, or temporary are allowed during use, provided that they do not create a nuisance to neighboring properties or a safety issue. They are to be stored out of sight when not in use. All such equipment that are of a permanent, more than temporary occasional use nature require the approval from the ACC,



which shall be evaluated for the potential for nuisance to neighboring properties, visibility, attractiveness, safety, and other considerations.

8. CLOTHES LINES  
Exterior clotheslines and drying racks are generally not permitted, but in the interest of energy conservation and sustainability, an application may be made to the ACC for approval to erect a clothesline or drying rack on a lot, on a case-by-case basis, provided that the location, materials, height, length and use does not pose a nuisance or visual intrusion to neighboring properties, is used only for the drying of clothes and common household materials for the few hours and occasional use required to dry household goods.
9. COMMERCIAL VEHICLES  
See Section 8.7 of the Independence Community CCR's for detailed information.
10. DECKS, PATIOS, DECK COVERS, PATIO COVERS, SHADE STRUCTURES, PERGOLAS, TRELLISES  
Decks, patios, deck covers, patio covers, shade structures, roof structures, pergolas, trellises etc. are permitted, and are subject to design review approval from the ACC and may require a building permit from Elbert County. Such structures are to be in keeping with the scale, materials and colors of the principal residence and located at least six (6') feet from neighboring properties, and in a way so as not to be a nuisance to neighboring properties. Wood decks are to be natural looking, attractively designed and built, maintained in good repair. Railings are to be structural and safe. Covers and roofs are not to exceed twelve (12') feet in height. Consideration is to be given to line-of-sight views from neighboring properties.
11. DECORATIONS – SEASONAL & PERMANENT  
Seasonal decorations (such as holiday decorations) do not require ACC approval, as long as they are not put out more than thirty (30) days in advance of the holiday and removed fifteen (15) days after the holiday. Permanent decorations that are visible to neighboring properties such as yard statuary, sculptures, yard art, columns, pillars, arbors, cupolas, birdbaths, and wall mounted art, require design review approval from the ACC.
12. DOORS, SCREEN DOORS, SECURITY DOORS, ALL-WEATHER STORM DOORS  
Entry doors must be of a design, materials and colors that matches or is compatible with the design, materials, and colors of the home. No plain slab, temporary looking or low-quality doors shall be permitted. ACC approval is not required for replacement doors if the replacement door matches or is of a superior quality and appearance to the original door. Screen doors, security doors and all-weather storm doors are permitted and do not require design review approval of the ACC as long as they are of commercial grade quality that matches or is compatible with the design, materials and colors of the home and trim details. Such doors must look attractive and be of a



neutral color. Any doors that do not meet these standards require design review approval from the ACC. Metal barred doors, heavy duty security doors and unpainted metal or aluminum doors are not permitted.

13. DRAINAGE

Each lot is graded in accordance with an engineered grading and drainage plan. The grading on each lot shall be maintained in accordance with that plan. Owner improvements on lots shall not alter the drainage without an engineered plan and the approval from the ACC and if required, Elbert County. Each owner is required to contain mud, silt or other dirt and debris on their property, control any erosion, and are not allowed to increase or decrease the established flows of water off their property. Roof drainage, driveway and other impervious surface drainage shall be maintained in accordance with these provisions. Owners are advised of the importance of maintaining positive lot drainage away from and in proximity to foundations and basement systems (i.e., within 24" – 36") of foundation walls, and to be diligent with location for outlet of sump pumps and plant irrigation systems.

14. DRIVEWAYS & SIDEWALKS

Driveways and sidewalks on lots are subject to design review approval by the ACC. Driveways are to be no more than sixteen (16') feet in width at back of curb, sidewalks no more than four (4') feet in width and must be of concrete with sufficient grade preparation and thickness to prevent settling, differential heaving, or faulting. Extension, widening, expansion, adding additional, driveways or sidewalks is generally not permitted, but may be considered on a case-by-case basis by the ACC. In such cases, the location, materials, differentiation, functionality, look, safety, and other considerations shall be considered during the review process. The intent is to avoid the look of extensive areas of concrete and the potential nuisance to neighboring properties. Part of the concern is also the potential for the parking of multiple vehicles (see Vehicle Parking). ACC approval is not required for the repair or replacement of driveways and sidewalks or parts/sections thereof if it matches the original.

15. FENCES

See the specific fence guidelines.

16. FIRES, FIREPLACES,  
FIREPITS, BBQ'S, GRILLS,  
BURNING, FIREWORKS

Fire is an ever-present danger and can be a serious threat to life-safety and property. It can also be a source of enjoyment and serve practical purposes in a residential environment. Safety and security are paramount. Fire regulation and protection for Independence is provided by the Elizabeth Fire Protection District in cooperation with Elbert County, and other local, county, state, and federal agencies. These guidelines shall be in conformity with, and shall not supersede



applicable laws, policies, regulations, and acceptable safety standards. Property owners are encouraged to become fire safety aware in how they use, maintain, and manage their properties, including keeping fire ignition risks and fuel sources away from their homes including trees and other vegetation (i.e., defensible space), dead branches, dry leaves, and dry plant material, providing fire resistant material around their homes, providing fire fighter accessibility, etc. Open fires are prohibited except when, where and how permitted by the appropriate authority. Except as otherwise prohibited, outdoor natural wood or gas fires are permitted in specifically designed fireplaces for cooking, warmth, and enjoyment for occasional use and during reasonable hours. Gas, charcoal, and wood burning BBQ's, grills and outdoor cookers are permitted. ACC approval is not required for typical commercially available portable units used in rear yards subject to applicable laws and ordinances. Permanent units installed in structures are subject to design review approval by the ACC and may require a building permit from Elbert County and inspections by the Fire District and energy company. Fireworks are generally prohibited but may be permitted in accordance with applicable laws.

17. FLAGS AND FLAGPOLES

The display of the American flag on a unit may not be prohibited if the American flag is displayed in accordance with the Federal Flag Code, P.L. 94-344 stat. 810; 4 U.S.C. SECS 4 to 10. One flag total (American, Colorado, school or college, sports team, decorative, or other similar flag) not exceeding 3' x 5' in size is allowed to be flown from a bracket holder on an occasional, short term, temporary, or event basis, from a bracket style flag holder on the front plane of the garage return wall or front porch area of a home during daylight hours, not to exceed three consecutive days.

Permanent free-standing flag poles are not permitted. ACC approval is required for all other flags, banners, and signs of any kind.

18. LIGHTING, OUTDOOR LIGHTING

Low level outdoor lighting, architectural or landscape feature lighting, house number lighting, walkway and sidewalk lighting, entry doorway lighting, porch, deck and patio lighting, decorative lighting and safety and security lighting is allowed and is subject to design review approval from the ACC. Lighting should maintain a "dark sky" residential environment to ensure that such lighting is not a nuisance to neighboring properties with light spill onto adjacent properties, and with no high intensity spotlights posing a nuisance to a neighboring property.



“JellyFish Lights” or under soffit lighting is discouraged. These types of lights require design review and approval prior to installation. “JellyFish Lights”, if allowed, are not to be considered security lighting, may only be illuminated between dusk and 10:30 pm each day, and are limited to no more than 20 lumens per bulb so as not to be a nuisance to other residents.

19. PETS, PET ENCLOSURES,  
PET HOUSES

2” x 4” metal screen fence on the inside of the standard wood rail fence is permitted as a pet enclosure. Chicken wire fencing and chain link fencing is not permitted anywhere in the community. As such, chain link dog-runs or dog pens are not permitted.

Any proposed outdoor pet enclosures other than the 2” x 4” metal screen fence inside the wooden rail fencing requires the approval from the ACC.

20. PLAY EQUIPMENT

Play equipment such as play structures, playhouses, doll houses, forts, swing sets, climbing equipment, sports courts, putting greens are permitted in rear yards, such that they are six (6’) feet from any property line and are subject to design review approval from the ACC.

21. RECREATIONAL VEHICLES,  
BOATS, CAMPERS, MOTOR  
HOMES, TRAILERS, EXTRA  
VEHICLES, RV’S, NON-  
OPERATING VEHICLES ETC.

No recreational vehicles including non-operating cars and trucks, may be parked or stored outdoors, in view, on a lot at any time except during transport to or from the lot, or for the purposes of loading and unloading and not for a period exceeding 24 hours. An owner may make written request to the ACC for a one-time extension to this regulation to a maximum of 72 hours for an owner’s vehicle or for the vehicle of a guest visiting the owner to which the ACC may provide written waiver. The ACC specifically reserves the right to review the merits of a request on a case-by-case basis with respect to the potential nuisance to neighboring properties or precedent and reserves the right to limit the number of times approved in any season in which a waiver is granted.

22. SIGNS

Per the PUD Land Use Standards 4.1.12, sign standards shall comply with the requirements of the Elbert County sign ordinance. **ALL** signs placed on a lot or property that are visible require design review approval from the ACC with the following exceptions: (i) one temporary sign placed in the front yard advertising the home for sale or lease, not to exceed four (4’) inches in height and 3’x 2’ in dimension, to be posted during the for sale or lease listing period and removed within one week of expiration of the listing (i.e., standard real estate sign); (ii) a temporary standard political candidate or ballot initiative election sign posted no earlier than 45 days prior to the



election and removed within seven days after the election and not exceed 3' x 4' in size or as permitted by law.

23. SOLAR ENERGY DEVICES      Solar energy devices are permitted subject to design review approval from the ACC and may be subject to building permit from Elbert County and other regulatory authority approvals. In general, solar energy devices are to be integrated with the house architecture and not be prominent, visually obtrusive, and unsightly.

24. SWIMMING POOLS, SPAS, JACUZZIS, HOT TUBS, WATERFALLS, WATER FEATURES      In-ground swimming pools, spas and Jacuzzis are permitted in the rear yards of lots subject to design review approval from the ACC, and subject to permits by Elbert County or regulating authority and including safety fencing or barriers. Chain link fence is not allowed as a pool barrier, but wrought iron, and aluminum is permissible, subject to applicable pool codes and safety ordinances. Particular attention is to be paid to the location and screening of equipment and appurtenances so as not to be unsightly or a nuisance to neighboring properties. Above ground pools are not permitted. Temporary inflatable or lightweight wading pools (i.e., kiddie pools) do not require ACC approval for use not exceeding 72 hours.

Waterfalls and water features require the design review approval of the ACC, shall not be a nuisance to neighboring properties, and are encouraged to use recirculating pumps and water conservation measures.

25. TRAMPOLINES      . A buried trampoline within 12 inches from grade is permissible.

26. TRASH CONTAINERS FOR COMPLETED HOMES      Once a certificate of occupancy has been issued for a home trash container, and trash, shall only be placed at curbside for pick up after 6:00 am on the day of trash pick-up and returned to a proper storage location by 9:00 pm the day of pick-up. Trash containers and trash shall be stored out of sight and in a secure manner at all times except on the day of pick-up and shall be kept in a clean and sanitary condition.

27. TREE HOUSES      Tree houses are not permitted.

28. UNSIGHTLY, UNSAFE AND NUISANCE CONDITIONS FOR COMPLETED HOMES      Once a certificate of occupancy has been issued for a home and prior to issuance of a building permit for any lot or adjacent lot, no unsightly, unsafe or nuisance conditions shall be allowed to persist on lots or properties. By way of example, but not limitation, such items as rock, dirt or mulch piles, dead landscape materials, construction materials or equipment, dead vehicles, wood piles, fencing in disrepair, abandoned toys or structures, gardening equipment not in



use, trash, garage, dead animals, peeling or faded paint, building elements in disrepair, broken windows or garage doors shall not be allowed to persist and are subject to notices and enforcement by the ACC or District. A reasonable standard of care on lots and properties shall apply.

29. VEHICLE PARKING

Each lot and home shall contain a garage for the parking of a minimum of two (2) vehicles, and space on the driveway for the parking of an additional (2) two vehicles. Once a certificate of occupancy is issued for a home, the parking of additional vehicles on a frequent, regular, habitual basis is prohibited.

30. VEHICLE REPAIRS

It is not permitted for vehicles to be repaired in the open on driveways or on lots once a certificate of occupancy has been issued.

31. WINDOW COVERINGS

Windows coverings are required to be of commercial quality curtains, blinds, draperies, or other acceptable coverings suitable to the architectural quality of the home and do not require ACC approval. Cardboard, aluminum foil, commercial advertising and low-quality window coverings are not permitted. Highly reflective, blacked-out and covered-over/boarded-up windows are not permitted.

32. WOOD STORAGE

Once a certificate of occupancy has been issued, the storage of minor amounts of wood (i.e., less than 2' wide x 10' long x 4' high) in a low visibility location in a rear or side yard is permitted. Any other amount of wood storage requires design review approval from the ACC.

33. BUILDER COVENANTS

Flags, temporary parking, front yard fencing, balloons, on-lot informational signage, one on-site sales trailer, and one construction trailer are allowed by active builders only with approval by ACC. Builders and its associated contractors and subcontractors are prohibited from parking on-street in front of or in driveways of homes that have been sold to a third party. Builders and its associated contractors and subcontractors are prohibited from parking on-street in front of or in driveways of lots not owned by such builder.



## DESIGN REVIEW ADMINISTRATION, APPROVALS & PROCESS



As outlined in the PUD Land Use Standards 4.1.17, it is intended that the Design Standards for Independence are subject to private controls administered by the Independence Overlay District, through CC&R's and the ACC. These Guidelines are a tool to provide guidance for the design, construction, installation and maintenance of physical improvements that are subject to design review including buildings, landscaping, structures and other physical improvements.

Unless these Guidelines or applicable law provide that certain improvements may be constructed without the approval of the ACC, owners are required to apply for Design Review and obtain written approval from the ACC prior to constructing such improvements. Note that some improvements require review and a building permit (or other permitting) from Elbert County or other applicable jurisdiction, and always be sure to “call before you dig” with the appropriate utilities such as the Intermountain Rural Electric Association (IREA) for power, Black Hills Energy for natural gas and the TBD communication providers (cable TV, telecom, fiber optic). A builder, owner, contractor, supplier, or representative is encouraged to contact the Independence Overlay District and ACC early in the planning and design of their project to confirm if it is subject to design review, to obtain the applicable guidelines and submittal forms and requirements, and to obtain approval before applying for a building permit or starting construction of the project. Approval by the ACC is not a guarantee that such plans may be approved for building permit by Elbert County or applicable jurisdiction. A building permit or other approval by Elbert County or other applicable jurisdiction does not guarantee or bind the approval of the ACC.

### EXAMPLE IMPROVEMENTS REQUIRING DESIGN REVIEW APPROVAL

*Home Builders (except as may be exempted by the Declarant):*

- House floor plans and elevations
- Materials and color boards
- Landscaping packages for front, rear and side yards
- Related landscape irrigation plans for typical packages.
- Builder installed fencing.
- Model homes and model complexes.
- Marketing signage, flags, banners, and lighting
- Solar panels, solar water heaters
- Antennae, satellite dishes, communications towers
- Outdoor structures such as decks, patios, gazebos, trellises, pergolas, and cabanas
- Outdoor play structures, basketball hoops, sports courts, and sports goals
- Outdoor fireplaces, outdoor kitchens, and permanent BBQ grill installations
- Sidewalks, walkways, and driveways
- Exterior painting if changes the original or prior approved paint scheme.

- More than normal maintenance changes and minor improvements to yard landscape irrigation system
- Landscaping that exceeds 36" in height at maturity
- Landscape elements such as statues, grottoes, columns, religious structures, and accessories
- Pools, spas, hot tubs, Jacuzzis, outdoor showers, fountain and, water features
- Walls and fences
- Outdoor lighting
- Flagpoles
- Dog runs, animal kennels or shelters
- Removal of trees greater than 6" in diameter
- Any exception to, or deviation from, these Design Guidelines

### EXAMPLE IMPROVEMENTS NOT TYPICALLY REQUIRING ACC APPROVAL

- Painting, maintenance, repairs, and replacements to the exterior of a home or yard landscaping consistent with the original materials, colors, and design elements
- Seasonal plants and flowers, including flowerpots, hanging baskets and door hang items
- Seasonal (holiday) outdoor lighting and lawn ornaments provided they are put out not more than thirty (30) days prior to the seasonal holiday and taken back in within fifteen (15) days following the seasonal holiday (i.e., cannot be up for more than 45 days)
- Radon fans and related equipment provided the components are painted to match the house color
- Miscellaneous outdoor home décor items, outdoor furnishings, and bird feeders (assuming reasonable and not a nuisance to neighboring properties)
- Improvements allowed by applicable law that supersedes these Guidelines and the Design Review authority of the ACC

### SUBMITTAL PROCESS

A typical submittal process for Design Review to the ACC is contemplated to have the following steps:

1. Preapplication inquiry
2. Submit completed application form and copies of plot plan, landscape plan, elevation plan, improvement plans, engineer or architect's plans/calcs, materials and colors board, samples, supplier information sheet, photographs, project schedule, as applicable so the ACC can understand and review the proposed improvement(s)
3. A Design Review Fee of \$300.00, payable to the Independence Overlay Metropolitan District, is required to be paid by the homeowner at the time the application and plans are submitted for review. This fee is for the Architectural Review of improvement plans and the District makes no profit from the receipt of this fee. Please make payment to the Independence Overlay Metropolitan District.
  - a. A resubmittal Design Review Fee of \$100.00 is required for any subsequent reviews and shall be paid by the homeowner at the time of resubmittal.



4. Acknowledgement from the ACC (targeted for within five business days of receipt) that the application has been received and is complete, or is not complete, with a date the application is officially received as complete, and a general time frame forecast of when it is expected that the ACC shall complete its review
5. ACC review of the proposal without a hearing, targeted to occur within 30 days of acknowledgement of a complete application
6. Written notice of: (1) approval; (2) approval with conditions; (3) deferral for additional information, clarification, changes and/or to schedule a hearing/meeting with the applicant; (4) disapproval (typically with reasons noted for the disapproval, but not required)
7. Return of one (1) set of the application submittal plans and materials to the applicant marked with the ACC's decision as outlined above

The decision of the ACC is final. An applicant can re-submit a new application if desired. There is no appeal process.

The ACC shall refer to the Design Guidelines and the design intent for Independence, in its review of an application. The ACC shall endeavor to be fair and balanced in its review, shall evaluate the proposal with regards to compliance with the intent and content of the guidelines and shall weigh the merits of the application, what is fair and reasonable to the applicant, and what is in the best interests of the neighboring properties and Independence as a whole. The ACC shall evaluate the merits of each application while being careful of precedent setting decisions.

## **NON-LIABILITY FOR DESIGN REVIEW, DECISIONS, PLANS**

To the extent allowed by law and as disclaimed and protected in District documents, the ACC shall have no liability for the review of applications, its decisions thereon or for the plans and specifications proposed. The ACC shall have no liability, responsibility, representation or warranty with respect to any aspect of the constructability, buildability, durability, safety, legality or any other consideration of what is proposed. The ACC's approval does not deem anything with respect to the foregoing. The ACC's interest in the review of an application, proposed project, construction, and installation is the review of an application for compliance with the Design Guidelines and the design intention for Independence.

## **AUTHORIZATION AND ENFORCEMENT**

These Design Guidelines, the Design Review Committee and its operating policies and procedures shall be established by, adopted by, and approved by the Independence Overlay District, as may be amended from time to time in accordance with the governing documents of the Association. Enforcement of the Design Guidelines and the decisions of the ACC shall be in accordance with the governing documents of the District.



# APPENDIX A

## Application Submittal Form

### Architectural Control Committee

*Request for Approval*

Submit Completed Application and Design Review Fee (page #40) To:

Please make payment to: Independence Overlay Metropolitan

District c/o Public Alliance

7555 E. Hampden Avenue, Suite 501

Denver, CO 80231

ryan@publicalliancellc.com

Date Received by District Management: \_\_\_\_\_

Homeowner's Name: \_\_\_\_\_

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

Home Tel #: \_\_\_\_\_ Mobile Tel #: \_\_\_\_\_

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

Request involves the following types of improvements (Check all that apply):

Roofing \_\_\_\_\_ Fencing \_\_\_\_\_ Play Equipment \_\_\_\_\_ Shed \_\_\_\_\_ Deck \_\_\_\_\_ Concrete \_\_\_\_\_ Patio Cover \_\_\_\_\_

Landscaping \_\_\_\_\_ Replacement Door(s) / Window(s) \_\_\_\_\_ Sauna / Hot Tub \_\_\_\_\_ Painting (same color) \_\_\_\_\_

Painting (different color) \_\_\_\_\_ Other \_\_\_\_\_

Paint Color numbers: \_\_\_\_\_ Portion of Home being improved: \_\_\_\_\_

Describe the improvement in detail and submit this form along with the required plans and drawings including the following.

- 1) Copy of the Official Plot Plan of the property (not needed for paint projects)
- 2) Plans of the proposed improvement with measurements of where it will be placed on the property
- 3) Water Drainage – direction (not needed for paint projects)
- 4) Contact the Utility Notification Center of Colorado (UNCC) at 303-232-1991 or <https://www.colorado811.org> to request a locate of all utilities (electric, water, gas, telephone, cable, etc.) prior to the commencement of any work.
- 5) Applicable Design Review Fee

Anticipated Date of Completion: \_\_\_\_\_

I understand the approval of the Architectural Control Committee (ACC) must be obtained before I proceed with my project. Per the Condominium Declaration, "The decision of the ACC shall be made within sixty (60) days after receipt by the ARC of all materials required..." I understand that approval by the ACC does not constitute approval of the local building department and that I may also be required to obtain a building permit. I agree to complete all improvements promptly after receiving approval from the ACC. I have read the District's Covenants and regulations and will comply with all requirements.

Homeowner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Approved as Submitted: \_\_\_\_\_ Date: \_\_\_\_\_

Approved with Conditions: \_\_\_\_\_ Date: \_\_\_\_\_

Disapproved as Submitted: \_\_\_\_\_ Date: \_\_\_\_\_

Reason(s) for Disapproval: \_\_\_\_\_



## APPENDIX B

### APPROVED PLANT LIST



*Amelanchier canadensis*  
Serviceberry



*Celtis occidentalis*  
Common Hackberry



*Pinus ponderosa*  
Ponderosa Pine



*Populus x accuminata*  
Lanceleaf Cottonwood



*Quercus gambelii*  
Gamble Oak



*Quercus macrocarpa*  
Bur Oak



*Acer grandidentatum*  
Bigtooth Maple



*Cornus sericea* 'Baileyi'  
Bailey Redtwig Dogwood



*Chrysothamnus nauseosa* var. *glabrata*  
Tall Rabbitbrush



*Fallugia paradoxa*  
Apache Plume



*Prunus besseyi*  
Western Sand Cherry



*Physocarpus opulifolius* 'Dart's Gold'  
Dart's Gold Ninebark



*Potentilla fruticosa*  
Potentilla



*Rosa woodsii*  
Wood Rose



*Salix exigua*  
Sandbar Willow



*Syringa vulgaris*  
Common Lilac



*Ratibida columnifera*  
Prairie Coneflower



*Rubus deliciosus*  
Boulder Raspberry



*Gaillardia aristata*  
Native Blanketflower



*Penstemon angustifolius*  
Pagoda Penstemon



*Sporobolus airoides*  
Alkali sacaton



*Bouteloua gracilis* 'Blonde Ambition'  
Blonde Ambition Blue Grama



*Miscanthus sinensis* 'Morning Light'  
Morning Light Maiden Grass



*Schizachyrium scoparium*  
Little Bluestem